

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF THE APPEAL BY)	
[NAME REDACTED])	No. 24 AA 59
APPLICANT FOR THE POSITION OF)	
PROBATIONARY POLICE OFFICER,)	(Applicant No. [redacted])
CITY OF CHICAGO.)	

FINDINGS AND DECISION

[Name redacted] (hereinafter “Applicant”) applied for a probationary police officer position with the City of Chicago. In a letter dated July 16, 2024, 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 and the process for appeal. In support of its decision, Department attached the May 8, 2024 Background Investigation Summary (“Background Investigation Report”) in which Department cited conduct it alleged formed the bases of Disqualification(s) under its Pre-Employment Disqualification Standards for Applicants for the Position of Police Officer (“Standards”) Based on Criminal Conduct, specifically the sections on Dishonesty and Violent Tendencies, and False Statements/Omissions/Failure to Cooperate in the Application Process (Collectively, “Notice”).

In an email dated September 13, 2024, Applicant sought to appeal the disqualification decision to the Police Board (“Board”) by filing a written request seeking to 1) specify why the Department of Police (hereinafter referred to as “Department”) erred in the factual determinations underlying the disqualification decision *and/or* 2) bring to the Police 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”). Department filed a Response on Tuesday,

October 29, 2024. The Reply was filed November 30, 2024, however, an email included with the Reply indicated the Response was not emailed to Applicant until October 31, 2024 (30 days after the email notification). Police Board Appeals Officer Laura Parry reviewed these filings and any documentary and audio evidence submitted with each.

APPEALS OFFICER’S FINDINGS, CONCLUSIONS, AND RECOMMENDATION

Appeals Officer Laura Parry, 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 PARTIES

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

Basis #1

IV-B. Disqualification Based on Criminal Conduct, as cited by Department:

...

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 person 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.

[3] 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."

"720 ILCS 5/32-5.1 False [Imp]ersonation of a Peace Officer Class 4 Felony"

Department cited the following conduct, in summary:

Representations made during a domestic incident on December 10, 2023 described in Basis #2 below. A police report quoted Applicant stated to an alleged domestic violence victim (and then girlfriend): "Please, please [Name redacted] relax. Don't fuck me up, I am in the Police Academy." Background Investigator spoke with one of the reporting officers ("R/I") via phone, who recalled the incident and reported he remembered Applicant telling the alleged victim he was in the Police Academy. That R/I assumed Applicant was in the Department and notified Department's Bureau of Internal Affairs who indicated there was no one with that name in Department's academy at that time. This was also recounted in the Detective's Case Supplementary Report, according to the Background Investigator.

(Background Investigation Report, p. 1-3)

Basis #2

IV-B. Disqualification Based on Criminal Conduct, as cited by Department:

...

7. Other Criminal Conduct

...

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; stalking; 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."

"720 ILCS 5/12-7.3 a-3 Stalking Class 4 Felony"

Department cited the following conduct, in summary:

October 3, 2012 Alleged Stalking Incident of Victim "[Name redacted]" (surname omitted in this Recommendation). A campus police officer ("R/O") heard yelling outside the dispatch office, responded and saw one male (later known to him as Applicant) and one female (later known to him as "[Name redacted]"). R/O split the parties up from the verbal altercation to try to understand what the problem was, but Applicant walked away and when R/O requested he stop, Applicant fled by foot, R/O pursued, but lost Applicant in a crowd of students. Upon return to the female, she identified herself as "[Name redacted]" (surname omitted from this Recommendation) and the male as Applicant. It was reported "[Name redacted]" told the R/O she saw Applicant coming up the stairs as she was going down and tried to ignore him, but he grabbed her arm. She reported Applicant was following her around and she did not want to talk to him. She started walking toward campus police because she wanted Applicant to leave her alone and advised that she and Applicant had known each other in high school, were dating for about a year and broke up about a month prior. It was reported she said Applicant could not get over that she didn't want to be with him anymore because he was very controlling in the relationship. She also was said to have told R/O that Applicant had not physically harmed her, but she wanted no contact with Applicant. She did not sign a complaint. R/O and another officer tracked down Applicant in class and walked Applicant out of class, but Applicant became uncooperative and was yelling and screaming, "She i[s] my fucking girlfriend! It is against the law to speak with my girlfriend?!" After being escorted back to campus police, it was reported Applicant told the officers "[Name

redacted]” was his girlfriend of four years and he only wanted to talk to her to get back together, which is why he grabbed her arm because she was walking away from him. R/O was reported to have told Applicant not to flee when an officer tells him to stop, Applicant responding that he thought R/O was a security guard and did not know he was police. R/O advised Applicant not to contact the woman. (Background Investigation Report, p. 4-5)

On a follow up report made October 15, 2012, it was reported “[Name redacted]” came to campus police and advised that Applicant had tried making contact with her by phone on October 11 and 14, 2012. (Background Investigation Report, p. 6)

"720 ILCS 5/12-1 Assault Class C Misdemeanor"

September 2012 Alleged Assault of “[Name redacted].” The relationship between “[Name redacted]” and Applicant was described in the above alleged October stalking incident which occurred after the following incident. “[Name redacted]” said she had known Applicant for 14 years and had dated for about four (4) of those years, but did not have a good or healthy relationship and said Applicant had displayed anger toward her and others when Applicant did not get his way. She reported Applicant became upset with her when she would not leave the college cafeteria with him and threw a chair at her, after which alleged victim obtained an Order of Protection against Applicant. (Background Investigation Report, p. 6).

"720 ILCS 5/12-3.2 (a)(1) Domestic Battery - Bodily Harm Class A Misdemeanor"

"720 ILCS 5/21-1 (a)(1) Criminal Damage to Property Class B Misdemeanor"

"720 ILCS 5/-12-1 Assault Class C Misdemeanor"

Department cited the following conduct, in summary:

December 10, 2023 alleged Battery, Assault, and Criminal Damage to Property. Alleged victim, “[Name redacted],” (surname omitted in this Recommendation) flagged down R/Os around

6300 S. Kolin and reported the conduct occurred at 4900 S. Keeler. R/Os observed blood “coming down her face” from under her nose and tape covering a gash on her upper lip. Alleged victim reported she had been at the apartment of her boyfriend, Applicant, sleeping on the bed when Applicant damaged her phone and began punching her in the legs (four times) with a closed fist. She reported Applicant grabbed her by the hair and said verbatim, “I’m going to fuck you up but not in your face.” Applicant was said then to have struck the woman seven (7) times on both sides of her head with a closed fist causing her swelling and pain and then dragged her out of the bedroom by her hair and into the kitchen. Alleged victim reported Applicant’s uncle who lived upstairs called Applicant on his phone because he heard a commotion, at which time Applicant told “[Name redacted],” “Shut the fuck up,” as she was screaming in pain. Applicant then dragged her by her hair from the kitchen to the living room sofa and struck her in the lips with a water bottle. He then stated to her, “Please, please [Name redacted] relax. Don’t fuck me up, I am in the Police Academy.” Applicant’s mother then entered the apartment and attempted to treat the woman’s injuries and offered to drive her home, doing so with Applicant in the back seat. During the ride Applicant was reported to say, “[Name redacted], promise me you are not going to call the cops.” If you go to the police station, I’m going to shoot up your house.” (Background Investigation Report, p. 6-7)

Background Investigator reported that on April 23, 2024 he received a phone call from “[Name redacted],” stating she wanted to talk to him about the domestic battery case report in which Applicant was named as the offender. Background Investigator asked if anything was untrue about the report that was made. “[Name redacted]” verified the report was accurate. (Background Investigation, p. 7-8)

Basis #3

IV-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 [expected]¹ 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 [could]² 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. [2,] Once employed, any employee who is found to have engaged in any conduct prohibited in the paragraph above will be subject to discipline, up to and including discharge."

(Background Investigation Report, p. 8)

Department cited the following conduct, in summary:

In March 2024 Applicant reported one romantic relationship with a "[Name redacted]" since 2012 when asked by Background Investigator over the phone in a follow up to the background interview conducted earlier by the Kentech Investigator. Applicant did not disclose this relationship or the one with "[Name redacted]," the alleged victim in the December 10, 2023 incident or the incident itself described in Basis #2 above to the Kentech Investigator. In April 2024 the Background Investigator contacted Applicant by phone again to follow up with questions about the December 10, 2023, incident in which Applicant said, "I have no idea who that person is," when asked by the Investigator if he had ever known "[Name redacted]." When asked if he

¹ Department incorrectly cited as "required" instead of the language of the Standards which is "expected."

² Department incorrectly cited as "shall" instead of the language of the Standards which is "could."

was sure, Applicant was then said to have stated, "I do not know who she is." After this the Background Investigator told Applicant that Applicant was named as the offender in a December 10, 2023, incident that alleged to have occurred at his own home. Applicant was then reported to have said that he knew her but only hung out with her a couple times, that he picked her up from a police station as a favor to a friend in October 2023 and saw her a month later at a family party, saying that she must have confused him with someone else and denied any involvement in the December 2023 incident. (Background Investigation Report, p. 8-9)

Applicant was born January 1994. PHQ was submitted January 2023. (Background Investigation Report, p. 1).

Appeal and Response

The following is a summary.

Appeal. Applicant opened by expressing the decision to disqualify him was unjust and that he has never been arrested, has a "clean record," and a strong desire to serve Department.

Failure to Initially Disclose Relationship with "[Name redacted]" post 2012. Applicant wrote that when initially asked about any relationships after 2012, he said there were none, but that after further questioning he disclosed a brief relationship with "[Name redacted]" from late 2015 to early 2016, about three weeks which he did not consider to be significant enough to mention, but when he was asked more than once, he provided the information.

Relationship to "[Name redacted]." Applicant explained they were high school sweethearts and that everyone looked up to them, and then when it came time for college, she influenced him to go to the same college she was instead of taking one of the other college offers made to him to follow his "dreams" to play soccer. He said a month after he made his decision to follow her, they broke up and he was heartbroken and was "feeling betrayed." Applicant said he

dropped out and went to Mexico for two months to recover. A decade later he decided to enroll in college where he studied criminal justice and graduated as valedictorian with a 4.0 GPA.

Relationship to “[Name redacted].” Applicant wrote that while in college he helped a friend by picking up “[Name redacted]” from the police station but didn’t know her or why she was there, but said he saw she was a victim of domestic violence. He explained they occasionally kept in touch but only knew her by nickname and social media username. Applicant said that when he told the Kentech Investigator he did not know “[Name redacted]” it was because he only knew her by her nickname, “Brat,” and that he never had a relationship with her, she’d never been in his house, and he’d only met her twice. Applicant stated that months later he was “stunned” to find out he was accused of domestic violence. He stated that he was frustrated by the false accusation, gathered his own evidence to show his innocence, and averred the disqualifications are based on allegations without any factual evidence against him. Applicant went on to address the following alleged conduct.

False Impersonation of a Peace Officer. Applicant asserted there was no direct evidence that he made the statements, and the disqualification relied solely on second-hand information from the victim, “whose credibility may questionable due to potential motives to fabricate or exaggerate the incident.” Applicant wrote that the statements may have been the result of miscommunication or misunderstanding, rather than an intentional false representation, and that even if the statements were true, they didn’t meet the legal definition for false impersonation, concluding, “Therefore, the allegations lack the necessary evidence and intent needed to substantiate a charge of false [im]personation.” He cited the legal definition as “involves knowingly and falsely representing oneself as a peace officer with the intent to deceive for personal gain or commit a crime,” which he denied.

Stalking. Applicant asserted the accusations “lack substantial evidence,” in that the report relied on the testimony of the alleged victim, “who may have personal motives to exaggerate or misrepresent the situation.” Applicant wrote that he had a relationship with “[Name redacted]” from ages 14-18, “investing significant time and effort into what ultimately proved to be a childish unproductive relationship.” He asserted that his actions were an attempt to resolve lingering issues from their past relationship, not to harass or intimidate, and no intent to cause harm or distress. He cited the legal definition in summary to be “knowingly engaging in a course of conduct that causes fear or emotional distress,” which he denied.

Assault. Applicant stated their past relationship should be considered, and that the time they dated was “marked by youthful immaturity and emotional volatility, which contributed to misunderstandings and conflicts.” Applicant said it was an isolated event, not indicative of a pattern of threatening behavior, and that there is no evidence that the throwing of the chair in the cafeteria put the “[Name redacted]” in reasonable apprehension of receiving a battery, which Applicant stated is required for the crime of assault.

December 10, 2023 Incident Report, Domestic Battery, Criminal Damage to Property and Assault. Applicant wrote that he recently became aware of the incident report in which he was named the offender, five (5) months after the alleged incident and that it contains false accusations. Applicant iterated he never had a relationship with “[Name redacted],” she’d never been in his house and he’d only met her twice. He explained that she likely got his name and address because the first time he met her he’d stopped for gas and refreshments, and when he returned he found her looking through his glovebox in which he had his personal documents that he’d gathered to send to Kentech, and that she’d probably seen his information there. As far as Domestic Battery, Applicant argued there is no evidence to support that Applicant knowingly caused bodily harm to

a family or household member, because she'd never been in his house, and if Applicant were the offender, Applicant opined he would have been arrested for such a serious offense. Applicant argued that the law regarding criminal damage to property requires that one knowingly damage someone else's property, and that there was no evidence to support he did this because he was never involved in any incident where he damaged the woman's property. Applicant also argued that there is no evidence to support the claim of assault to "[Name redacted]."

Applicant cites to the lack of an arrest for any of the conduct supporting his position that he did not engage in the conduct alleged. He claimed all of the allegations were false, have caused significant distress and have jeopardized his career aspirations.

Applicant emphasized he did not intend to withhold any information or to be misleading during this process, and that his responses were based on his understanding and recollection at the times he was asked questions. Applicant iterated he was surprised by "[Name redacted]" report filed against him, which was done "despite [his] ongoing support for her." Applicant noted that he included a letter signed by "[Name redacted]" in support of his Appeal and an audio recording that she did not know about which Applicant argues confirms his "innocence" in the December, 10, 2023 incident.

Applicant closed with a request for reconsideration, description of sleepless nights and countless sacrifices to reach this stage in the process, that he is committed to serving and upholding the values of Department, and that he hopes his dedication, hard work and commitment to the community are considered.

A letter was attached purportedly from "[Name redacted]" with a phone number and email address. The letter apologized for the incorrect report she made against Applicant, saying she regretted "my actions and the distress they have caused." She wrote that she was under duress

from her boyfriend at the time (now ex) into making the false accusations, although she wrote she was unable to mention him by name. She wrote that it was the ex who committed the domestic violence, but that Applicant helped her after the incident and it was easier to make the report against Applicant than her ex, who was threatening her with more abuse and who she was trying to get away from. She wrote that she was also struggling with mental health issues at the time. She explained that when she talked to the Background Investigator on the phone, she felt like he was not taking the call or her seriously, that he was nonchalant and that she broke down in tears when she had a flashback of the incident. She wrote that Applicant gave her the Background Investigator's phone number, and she intended to serve as a reference for Applicant and "move past the report." She said that during the conversation she never confirmed the report was true, nor did she explicitly deny it. She wrote she told the Background Investigator that she wanted to retract the report, but that she was told that once a report is made, it remains. She indicated she was seeking help and apologized to Applicant for any harm or inconvenience her actions may have caused him with apologies to the Department for any disruption or additional work she may have caused. (Letter from "[Name redacted].")

The attachments also included:

- 1- a photo, presumably of Applicant, with a Department officer in front of a college sign;
- 2- October 10, 2013 Petition for Order of Protection from "[Name redacted]" in which she complained of harassment via phone/text after she told him she wanted nothing to do with him and that they are not getting back together, continuing to physically follow her around, grabbing her at school when she tries to ignore him, telling her friends that he will beat up anyone else up if they talk to her, that he punches and throws things when angered, rings the doorbell of her house and then hides on the side, and that she is scared he will harm her;
- 3- Audio recording in two parts in which a male voice [Applicant] is heard to say he really needs a letter from her "[Name redacted]" because he really wants to be a cop, that it matters what she said to that guy [Background Investigator]. He asks what she said. "[Name redacted]" denies saying anything. Applicant persists she said something because the Investigator wouldn't lie. She says she's not lying and that Background Investigator didn't give a fuck. Applicant insists Background

Investigator was listening, and again asks what she said. Female says he was nonchalant and didn't give a fuck about her call. Applicant says, it doesn't matter if he gives a fuck, but what did she tell him? She says she didn't say shit. Applicant insists on asking what she was trying to tell the Background Investigator. "[Name redacted]" says she was calling because she wanted to be a reference. He asks how she is a reference, when she was the one with the report [December 10, 2023 incident]. She says that she keeps telling Applicant she didn't speak about the report. Applicant challenges her about not speaking about the report if the Background Investigator said she said it was accurate. She responds that maybe he said it because she didn't deny the report or say that none of its true. She tells Applicant that she told the Background Investigator that Applicant was a really good man, and that all that was a mistake and that she was saying all good things. Applicant interrupts and asks if she admitted that the report was real, while "[Name redacted]" was talking over him saying, no-no and that she did not admit to that and that she keeps trying to tell him that the Background Investigator didn't ask about the report. She said it was an awkward call, and that she made it awkward. In the second part of the recording, which seems to pick up later in the conversation with a different tone on both voices, the male is heard pleading for her help, saying that she's blackmailing him and offering a hundred dollars for her help and she responds over him by telling him several times he'll figure it out, "trust me, you'll be fine."

(Appeal and attachments, audio recordings)

Response. Department iterated the conduct highlighting a judge granted an Order of Protection that was in place for one year, that there were multiple incidents of stalking and Applicant's throwing a chair at "[Name redacted]" after she broke up with him. In responding to Applicant's assertion that the victims may have personal motives for reporting Applicant for specific conduct, Department argues Applicant cannot speak to either their feelings of distress his actions caused or whether his actions met legal thresholds. Department added that lack of arrest in domestic violence does not mean the conduct did not occur, but that due to the nature of threats, past aggressions and fear of retaliation many domestic violence victims are reluctant to move forward with a complaint, especially when an abuser confronts them directly, as Applicant did in the recording of the phone call between himself and "[Name redacted]" in which Applicant used profanity. Department asserts such a recording without the woman's permission was illegal under

state statute, prohibiting certain video recordings, citing 720 ILCS 5/26-4.³ Department avers Applicant's dishonesty and extreme evasiveness regarding past relationships is extremely troubling, as is his witness tampering, history of domestic violence and manipulative behavior, each of which is grounds for disqualification. (Response)

Reply. In his Reply, Applicant asserts he is "heavily being attacked by the Human Resources Division Director Joy Brown." Applicant iterated what was in the Appeal as to his relationships and that he was a teenager and immature. Applicant called "[Name redacted]" a cheater and that he knew every detail of her schedule and had been a couple for years. When he found out she was dating someone else a week after they broke up he "wanted to get answers on my own." He said they were walking together on that day, and as he was walking her to class she started to "get loud" as they passed the campus police office, and that he was "just trying to calm her down and preventing her from walking away" but that when he saw he wasn't going to resolve anything he walked away, and when he heard someone say, "Hey, come back," he didn't bother to stop. Applicant stated that when campus police pulled him from class, he told them what he has written in this Reply. Applicant stated "[Name redacted]" had no actual reason for any report, nothing happened, words were exchanged, and her actions were childish and "unasked for." A couple of weeks later in the cafeteria some of her friends tried to stop him from talking to her, and when he failed to talk to her, he walked away and "forced two of the chairs out of [his] way and pushed them inside a table" and that he "NEVER" threw a chair at "[Name redacted]." Applicant further argued there is no video evidence of him throwing a chair or any markings or evidence he threw a chair at her. Applicant claimed he didn't know of the first time she reported him or that she got an order of protection, that he never had bad intentions, she was once the love of his life

³The statute cited applies to video recording, more likely it would violate 720 ILCS 5/14-1.

and all he wanted to do was clear things up and “know the truth behind her new lover.” Applicant denied being a stalker. He argued that the Petition for Order of Protection where it said she was “scared that one of these days [she] will be harmed by him” proved he had not harmed her in the past. Applicant stated that a sheriff tried to serve him with the Order of Protection but never reached him, and that he only said he wanted to talk to Applicant and serve him papers. Applicant said he contacted the sheriff, got the papers and went to court thinking it was not serious because the proceeding only lasted five or ten minutes, they told him he couldn’t contact her or come within 15 feet of her, and he never approached her again. Applicant claimed that three years later they came across each other and when he told her what she did to him was unfair, she told him her mother made her do it.

As to “[Name redacted],” when he did a favor to pick her up at a friend’s request from the police station, Applicant stated he didn’t even know what she looked like. When he went inside, he found her beaten. He iterated it was possible she took photos of his personal information when they stopped at the gas station. Applicant iterated the audio recording supported his story, that she was not being forced to say anything and that it was civilized with him just trying to find out the motive behind the report, and that he never threatened or cornered her like the Human Resources Division Director claimed. Applicant said the profanity was just him repeating what “[Name redacted]” said. He argued the audio was necessary to fight the false allegations and “hearsay.” He said he did not tamper with the recording, and that it clearly shows she was blackmailing him saying, “you only have the \$150 and that’s what I want,” with his reply, “but [Name redacted] that’s all I have, let me keep \$50”⁴. Further on Applicant complains that he should press charges for defamation and extortion and that “you have to see what kind of an evil and lying individual

⁴ This is supposedly a precursor to his offer of \$100, however, that was not heard on the audio by the Appeals Officer.

we are dealing with here,” claiming he is the victim and not the offender, that he has a great heart and does not want to be a “snitch, rat” but that the situation is getting out of hand with its toxicity. He questioned how “[Name redacted]” could’ve called him her boyfriend when she was married at the time. Applicant explained that when he met her, he mentioned he was in a program and that he would get into the academy in six to eight months. Applicant wrote that he did not get her retraction letter notarized, but that it was the truth. Applicant then ranted again as to the false allegations made by “[Name redacted]” and that the Director sided with her because she was a woman.

Applicant clarified that when he said he had a “clean record” in his Appeal, he meant convictions, not arrests. Applicant then argued that once a record is expunged it can’t be considered, citing 20 ILCS 2630/12 (but skipping over the part that excepts law enforcement agencies) and saying that he wasn’t allowed to disclose his expunged records but did so anyway on the PHQ. Applicant also said that he found out two of his records that were supposed to be expunged were not.

Applicant addressed his entire Appeal to the Police Board Executive Director, at one point asking for compassion and an opportunity noting that the Director is “the man with that power.”

Applicant reiterated his relationship with “[Name redacted]” and the incidents in college.

Applicant closed with reiterating his hard work, desire to be a Department officer, his college success and that a Department Chief advised him not to give up, and that Applicant thinks the only thing standing in his way are false allegations made in December 2023 because the conduct complained of by “[Name redacted]” was too long ago.

Applicant included his criminal history, expungement records, a social media post showing “Brat,” and ride along waivers.

(Reply)

FINDINGS OF FACT

Department provided its factual basis for the decision to disqualify Applicant and remove Applicant's name from the eligibility list for which Applicant was given the opportunity to file a written appeal.

In a review of all the material presented in the Appeal, it appeared to the Appeals Officer that Applicant is either highly manipulative or does not understand that his repeated actions and pressing for what he wants can be manipulating, intimidating and/or harassing. The phone call he illegally recorded with “[Name redacted]” was just one such example. That recording seemed to be between two people who were very familiar with each other – not between people who had only met a couple of times or had sporadic contact. The Appeals Officer finds that it bears poorly on his credibility.

Applicant’s insistence that allegations were not shown by video or pictorial evidence is unpersuasive, as are his arguments regarding lack of arrests proving he did not engage in the conduct.

Applicant posited that the victims may have been motivated to make false reports against him, but never presented persuadable evidence of what those motivations were other than to report conduct he had engaged in. Given Applicant’s insistence that one of the victims write a letter retracting what she reported, it is unclear how much weight that retraction should be given, and whether it was given under coercion or by payment from Applicant. She told Applicant on the audio recording that she did not directly deny the report she made in December 2023. The audio recording was submitted in two parts, the tone of the two parts differed greatly and the second part

seemed to have been recorded later in the conversation, a gap between the two parts. Applicant offering \$100 for the retraction was audible at the very beginning of the second part.

Based upon the Notice and Appeal, by a preponderance of the evidence, **Applicant DID NOT** provide sufficient additional facts directly related to and/or did not adequately specify why the Department erred in its factual determinations as to the conduct alleged.

Regarding the Response and Reply, Applicant's demonstrated repetitive agitation toward the victims AND Department's Human Resources Division Director, all women, bear poorly on his credibility as it relates to his relationship to and with women – all of the conduct related to incidents with women. This is exacerbated by his pleas directed to the male Human Resources Board Executive Director as the “man with that power” to show compassion and give him an opportunity. Also bearing poorly on Applicant's credibility in the Reply is his deliberate omission of part of Illinois statute that excepts law enforcement agencies from the prohibition of considering records that are expunged in employment decisions.

Based upon the Notice, Appeal, Response and Reply, by a preponderance of the evidence, **Applicant still DID NOT** provide sufficient additional facts directly related to and/or did not adequately specify why the Department erred in its factual determinations as to the conduct alleged.

CONCLUSIONS OF LAW

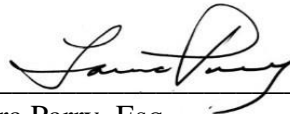
Pursuant to the Municipal Code of Chicago (“MCC”) 2-84-030 the standard of review for appeals of disqualification and removal of an applicant's name from the Eligibility List is that Applicant shall show by a preponderance of evidence that Department's decision to remove the applicant from the Eligibility List was erroneous (MCC 2-84-035(c)).

Applicant **DID NOT** show by a preponderance of the evidence that Department **erred** in its decision to the remove Applicant's name from the Eligibility List for the reasons stated herein.

RECOMMENDATION

Based on the findings and conclusions set forth above, it is recommended that the decision to remove Applicant from the list of eligible applicants for the position of probationary police officer be **AFFIRMED**.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Laura Parry", is written over a horizontal line.

Laura Parry, Esq.
Appeals Officer

Date: February 10th, 2025

POLICE BOARD DECISION

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

The Police Board hereby adopts the Appeals Officer's findings, conclusions, and recommendation by a vote of 9 in favor (Kyle Cooper, Claudia Badillo, Steven Block, Tyler Hall, Kathryn Liss, Arlette Porter, Andreas Safakas, Justin Terry, and Cynthia Velazquez) 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, Claudia Badillo, Steven Block, Tyler Hall, Kathryn Liss, Arlette Porter, Andreas Safakas, Justin Terry, and Cynthia Velazquez.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 20th DAY OF FEBRUARY 2025.

Attested by:

/s/ KYLE COOPER
President

/s/ MAX A. CAPRONI
Executive Director