#### BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF THE APPEAL BY	)	
[NAME REDACTED],	)	No. 25 AA 03
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 January 15, 2025, and sent to Applicant via email on that date, the Office of Public Safety Administration ("OPSA") gave Applicant written notice of the 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 notice of the right to appeal ("Disqualification Decision").

On January 20, 2025, Applicant filed with the Police Board an appeal of the Disqualification Decision pursuant to Section 2-84-035(b) of the Municipal Code of Chicago ("Appeal"). On March 6, 2025, OPSA filed a response to the Appeal ("Response"). Applicant did not file a reply to the Response.

Police Board Appeals Officer Lauren A. Freeman reviewed the Disqualification Decision, Appeal, and Response.

## APPEALS OFFICER'S FINDINGS, CONCLUSIONS, AND RECOMMENDATION

Appeals Officer Freeman, 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.

### **Disqualification Decision**

According to the Disqualification Decision, Applicant was removed from Eligibility List for the following reasons.

#### Basis #1

Disqualification Based on Criminal Conduct<sup>1</sup>

- 7. Other Criminal Conduct
  - a. Conduct Involving Drugs
    - (3) An applicant who has sold, distributed, possessed or manufactured any illegal drug, other than marijuana, at any time will be found unsuitable for employment.<sup>2</sup>

OPSA cited the following conduct, in summary:

On a daily basis from 2012-2014, Applicant drove his friend, [Name redacted], around the neighborhood while [Name redacted] sold marijuana. Applicant also drove [Name redacted] to Charleston, IL to drop off some pills, possibly Ecstasy.

### Basis #2

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 the applicant has a reputation or propensity for truthfulness, is believable and has a personal history free from deceit or fraud.

<sup>&</sup>lt;sup>1</sup> Section IV.B. of OPSA Special Order 21-01—Pre-Employment Disqualification Standards for Applicants for the Position of Police Officer.

<sup>&</sup>lt;sup>2</sup> OPSA incorrectly omitted the phrase "other than marijuana" from its Background Investigation Summary when it set forth Standard IV.B.7(a)3. In addition, OPSA did not allege that Applicant was also disqualifiable pursuant to Standard IV.B.7(a)4, which states, "An applicant, who knowingly and illegally sold, distributed, manufactured or delivered, with intent to deliver marijuana/cannabis will be found unsuitable."

- (2) Any conduct demonstrating a reputation or propensity for dishonesty may<sup>3</sup> 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, may be found unsuitable for employment.

OPSA cited the following conduct, in summary:

1. Incident Involving a Covert Chicago Police Department ("CPD") Vehicle

On October 11, 2015, Applicant drove his friend's father's covert CPD vehicle without his friend's father's authorization, activated the vehicle's emergency lights and sirens, and struck a moving vehicle. He fled the scene but later turned himself in and was charged with several vehicle offenses. On February 5, 2016, he was found guilty of Disobeying Red Circular Steady Signal Stop and received 12 months Supervision.

2. Incidents Involving Theft

In 2015 or 2016, Applicant stole a Major League baseball from Walmart, and in 2020, stole sunglasses from CVS Pharmacy.

#### Basis #3

Disqualification Based on Criminal Conduct

- 7. Other Criminal Conduct
  - c. Conduct Indicating Violent Tendencies

Police officers are required to act reasonably and professionally at all

<sup>&</sup>lt;sup>3</sup> The OPSA Background Investigation Summary incorrectly stated "will" rather than "may".

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.

OPSA cited the following conduct, in summary:

1. Property Damage to Neighbor's Home and Vehicle

In February 2012, Applicant's neighbor reported Applicant and Applicant's friend, [Name redacted], to the police for throwing rocks at her house and vehicle during an argument. The neighbor estimated that Applicant and [Name redacted] caused approximately \$400.00 in damage.

2. Property Damage at Elementary School

Sometime between 2011 and 2013, Applicant and his friends unlawfully entered Christ the King Elementary School and caused property damage to the school. Applicant admitted to OPSA that he threw eggs in the school and that his friends urinated on a teacher's desk, chased each other with a fire extinguisher, damaged the cafeteria, and flattened kick balls.

3. Incident Involving [Name redacted]

Applicant's classmate, [Name redacted], sold marijuana. Sometime in 2012

or 2013, Applicant and [Name redacted] planned to rob [Name redacted] of his drugs. While Applicant drove a vehicle and [Name redacted] was in the backseat, [Name redacted] reached his hand inside of the car to make exchange marijuana for money. [Name redacted] grabbed the marijuana and Applicant drove away. [Name redacted] would not let go of the marijuana, fell, and seriously injured his arm.

#### Basis #4

Disqualification Based on Prior Employment History<sup>4</sup>

- 1. Police officers are required to work well with other officers, public officials, and members of the public, as well as maintain a professional work ethic. Further, a police officer's ability and willingness to obey orders is critical to the proper functioning and administration of the Chicago Police Department, which in turn is vital to the Chicago Police Department's ability to protect the public. A steady employment history is an indication that, among other things, an applicant has the ability to work well with others; follow workplace rules; perform her or his work to acceptable standards; and come to work on time and on a regular basis.<sup>5</sup>
- 2. A poor employment history may<sup>6</sup> result in disqualification for the position of Police Officer. An applicant who has been discharged or disciplined for offenses which include any act of dishonesty, incompetence, insubordination, excessive absenteeism or tardiness, or failure to follow regulations may<sup>7</sup> be found unsuitable for employment.
- 3. Further, an applicant who, during previous employment, has engaged in any conduct that would have violated the Chicago Police Department's Rules and Regulations had the applicant been a Chicago Police Department employee, may be found unsuitable for employment. In addition, an applicant with a history of sporadic employment, evidenced by frequent changes in employment of short duration, may be found unsuitable for employment.

OPSA cited the following conduct, in summary:

In April, 2021, Applicant resigned from his position as a Security Guard from U.S. Security and Protective Services "pending insubordination investigation." Prior to resigning, he

<sup>&</sup>lt;sup>4</sup> Section IV.D. of OPSA Special Order 21-01.

<sup>&</sup>lt;sup>5</sup> The OPSA Background Investigation Summary omitted Item 1 when listing the disqualification standards.

<sup>&</sup>lt;sup>6</sup> The OPSA Background Investigation Summary incorrectly stated "will" rather than "may".

<sup>&</sup>lt;sup>7</sup> The OPSA Background Investigation Summary incorrectly stated "will" rather than "may".

received a written warning, and then a formal suspension, for "Insubordination, Excessive Complaining, and Examples of Employee Dissatisfaction." He refused to sign off on the formal suspension and resigned instead. Had he been employed as a Chicago Police Officer at that time, he would have been in violation of Chicago Police Department ("CPD") Rule 7: Insubordination or disrespect toward a supervisory member on or off duty.

#### Basis #5

Disqualification Based on Other Conduct<sup>8</sup>

1. Police officers are required to show respect for authority, uphold the law, and defend the dignity and rights of the public. Therefore, any applicant who has engaged in conduct that exhibits a pattern of repeated abuse of authority; lack of respect for authority or law; lack of respect for the dignity and rights of others; or a combination of traits disclosed during the pre-employment investigation that would not by themselves lead to a finding that an applicant is unsuitable for employment, but when taken as a whole, exhibit that the applicant is not suited for employment as a police officer, 9 will be found unsuitable for employment.

OPSA alleged that a combination of traits disclosed during Applicant's pre-employment investigation, evidenced by conduct set forth above in Bases #1-#4, indicates that he is unsuitable for employment as a police officer.

#### **Appeal Summary**

Applicant seeks to explain the circumstances surrounding the incidents OPSA cites for his disqualification:

Basis #1: Disqualification Based on Criminal Conduct/Conduct Involving Drugs

Applicant states that he drove [Name redacted] around to sell drugs approximately 13 years ago, when Applicant was 16 years old. Applicant was a child influenced by a bully, and

<sup>&</sup>lt;sup>8</sup> Section IV.H. of OPSA Special Order 21-01.

<sup>&</sup>lt;sup>9</sup> The OPSA Background Investigation Summary omitted from its listing of the disqualification standards the phrase "but when taken as a whole, exhibit that the applicant is not suited for employment as a police officer".

unable to process right from wrong. Applicant is now a responsible 29-year-old adult who thrives in his community and takes care of his family. He disclosed his behavior because police officers should never lie and should always have integrity on or off duty.

Basis #2: Disqualification Based on Criminal Conduct/Conduct Indicating Dishonesty

1. Incident Involving the Covert CPD Vehicle

Applicant admits that he drove his friend's father's covert Chicago Police vehicle without authorization. Applicant's friend [Name redacted], not Applicant, took [Name redacted]'s father's car keys, and picked Applicant up. After the crash, Applicant apologized, took ownership for his bad decision, and corrected himself. He successfully completed his probation and then enlisted in the United States Military to serve his country. He has come a long way since then and paid to file for expungement of the incident from his rap sheet.

# 2. Incidents Involving Theft

Applicant admits he stole the sunglasses and baseball so he could play catch with friends at a local park to decompress. Applicant disclosed these thefts to OPSA "out of integrity."

Basis #3: Disqualification Based on Criminal Conduct/Conduct Indicating Violent Tendencies

- Property Damage to Neighbor's Home and Vehicle
   In his Appeal, Applicant does not address his former neighbor's allegation.
- 2. Property Damage at Elementary School

In his Appeal, Applicant does not address the property damage he and his friends caused at Christ the King Elementary School.

3. Incident Involving [Name redacted]

Applicant "made a very idiotic decision that day as a teenager influenced by a bully."

Applicant still feels badly about what happened to [Name redacted] because [Name redacted]

later passed away from a heroin overdose but when Applicant caused [Name redacted]'s injury, [Name redacted] was a nice and happy kid who didn't deserve what Applicant and [Name redacted] did to him. Applicant takes responsibility for his actions and has "continued a path to correct himself since his adolescent years."

# **Basis #4:** Disqualification Based on Prior Employment History

Applicant states that the owner of U.S. Security and Protective Services was upset with him because Applicant left to work for another company. Applicant left the security guard position there because he had gained law enforcement experience but the pay was too low and "there was too much liability." He was not disrespectful to his supervisors. He resigned because his employer denied his request to attend a funeral for a 21-year-old former comrade in the military who killed himself. Applicant attended the funeral anyway and was consequently suspended. Before his suspension, he had been a dedicated employee, followed rules/policy, and worked well with off-duty police officers around the clock -- even picking up shifts to help his supervisors and partners.

After resigning, he worked only one day at Chuck E. Cheese. He resigned because he did not feel comfortable wearing a full uniform and holstered firearm around children playing there.

Since July, 2023, Applicant has been continuously employed by Protexa Security Chicago where he works with well-respected, retired Chicago police officers.

<u>Basis #5</u>: Disqualification Based on Other Conduct/Combination of Traits indicate Applicant Unsuitable

Applicant admits he has made past mistakes and takes responsibility for those actions.

However, he has made corrections in his personal life to better himself and would wear the CPD uniform with pride, dedication, bravery, and respect.

# **Response Summary**

OPSA's Response avers the following, in summary:

OPSA (often referred to as "the Department" in OPSA's Response) reviewed Applicant's Appeal request and refers to and relies on the facts and evidence relating to the disqualification contained in Applicant's file and Background Investigation Report. OPSA maintains that the preemployment disqualification standards upon which Applicant's disqualification were based are clear, as delineated in the Disqualification Decision. Citing *Apostolov v. Johnson*, 2018 IL App (1<sup>st</sup>) 173084, ¶¶ 24, 31, and *Johnson v. O'Connor*, 2018 IL App (1<sup>st</sup>) 171930, ¶¶ 16-17, 20, OPSA contends that the Background Investigation Report and the evidence in Applicant's file support its decision to disqualify Applicant from hiring, and the Department is within its right to do so. Pertaining to each basis, OPSA responds as follows:

<u>Basis #1</u> Disqualification Based on Criminal Conduct/Conduct Involving Drugs

Applicant admitted that he was involved with the sale of marijuana and ecstasy pills with his friend [Name redacted].

Basis #2: Disqualification Based on Criminal Conduct/Conduct Indicating Dishonesty

Applicant admitted to 'T-boning' another vehicle after failing to yield at a light, while joy-riding in his friend [Name redacted]'s father's covert CPD vehicle. Applicant was later found guilty of a charge related to the incident and received a year of supervision. While in his Appeal Applicant claims he was only 16 years-old at that time, the timeframe he gave shows he was actually between the ages of 17-19, and if caught, he would have been charged as an adult with multiple felonies. While Applicant says he is seeking to have his record expunged, expungement does not rectify crimes.

During Applicant's pre-employment polygraph examination, he also freely admitted that

he stole the sunglasses and baseball. While Applicant downplays the thefts as youthful indiscretions, he was legally an adult when he committed both offenses, and the last offense occurred in 2020.

Basis #3: Disqualification Based on Criminal Conduct/Conduct Indicating Violent Tendencies

During his pre-employment polygraph examination, Applicant freely admitted
he committed acts of vandalism at Christ the King Elementary School. He also admitted his role
in the botched plan to rob rival drug dealer, [Name redacted], resulting in injury.

Basis #4: Disqualification Based on Prior Employment History

Although Applicant served our country honorably in the military, his less than exemplary work history occurred after his military service. In his Appeal, Applicant states he quit his job with Chuck E. Cheese because he did not want to frighten the children by wearing a holstered firearm and full uniform. His excuse does not ring true and police officers will often respond to places like Chuck E. Cheese and are required to perform their duties with a holstered firearm in full uniform.

<u>Basis #5</u>: Disqualification Based on Other Conduct/Combination of Traits indicate Applicant Unsuitable

Applicant's confirmed involvement in multiple instances of drug dealing, vandalism, robbery, traffic convictions, and poor work history, are extremely concerning and are grounds for disqualification. An applicant may be disqualified from consideration for a police officer position if there is evidence that the applicant has engaged in criminal conduct, even if the applicant was never convicted of a criminal offense. Applicants with a history of criminal conduct that falls within the Department's disqualification standards are deemed unable to protect the public and its trust in the police. Had he been in CPD's employ when engaging in the cited conduct, he would have been in violation of multiple CPD rules and multiple state laws,

each of which would serve by themselves as grounds for disqualification.

# **Findings of Fact**

The Appeal and Response were timely filed.

**Basis #1:** Disqualification Based on Criminal Conduct/Conduct Involving Drugs

Per Applicant's admissions, on a daily basis from 2012-2014, he drove his friend [Name redacted] around the neighborhood while [Name redacted] sold marijuana. Applicant also drove [Name redacted] to Charleston, IL to drop off some pills, possibly Ecstasy.

Basis #2: Disqualification Based on Criminal Conduct/Conduct Indicating Dishonesty

1. Incident Involving the Covert CPD Vehicle

Applicant admitted to OPSA investigators, and did not deny in his Appeal, that on October 11, 2015, he drove his friend's father's covert Chicago Police vehicle without his friend's father's authorization, activated the vehicle's emergency lights and sirens, failed to yield at a traffic light, "T-boned" a moving vehicle, and fled the scene. Applicant was charged with several vehicle offenses, and in February 2016, was found guilty of Disobeying Red Circular Steady Signal Stop.

2. Incidents Involving Theft

During Applicant's pre-employment polygraph exam, and in his Appeal, Applicant admitted that in 2015 or 2016 (when he was between 19-21 years-old), he stole a Major League baseball from Walmart, and in 2020 (when he was 24 or 25 years-old), he shoplifted sunglasses from CVS Pharmacy.

**Basis #3:** Disqualification Based on Criminal Conduct/Conduct Indicating Violent Tendencies

1. Property Damage to Neighbor's Home and Vehicle

Applicant does not deny that in February, 2012, when 16 years-old, he threw rocks at a

neighbor's house and vehicle, causing property damage.

# 2. Property Damage at Elementary School

Per Applicant's admission to OPSA investigators, sometime between 2011 and 2013 (when he was 15-18 years-old), he and his friends unlawfully entered Christ the King Elementary School and "caused damage to whatever they wanted." Applicant stated that he "only" threw eggs, while his friends urinated on the teacher's desk, chased each other with a fire extinguisher, damaged the cafeteria, and flattened kick balls.

# 3. Incident Involving [Name redacted]

Applicant admitted to OPSA investigators that sometime in 2012 or 2013 (when he was 16-18 years old), he and [Name redacted] planned to rob another classmate, [Name redacted], of [Name redacted]'s marijuana. While Applicant was driving and [Name redacted] was in the backseat of their vehicle, [Name redacted] reached his hand inside of the car to exchange drugs for money. As [Name redacted] grabbed [Name redacted]'s marijuana, Applicant drove away. Because [Name redacted] would not let go of the marijuana, [Name redacted] fell, and seriously injured his arm.

#### **Basis #4:** Disqualification Based on Prior Employment History

OPSA's Background Investigation Report shows that according to the President of U.S. Security and Protective Services, in April, 2021, Applicant "resigned pending insubordination investigation" from his position as a security guard from the company. Before resigning, Applicant received a written warning, and then a formal suspension, for "Insubordination, Excessive Complaining, and Examples of Employee Dissatisfaction." Applicant refused to sign off on the formal suspension and resigned instead. Applicant admits he missed work, without permission, to attend his former comrade's funeral. He then worked at Chuck E. Cheese for one

day, before quitting. Since July, 2023, Applicant has been employed by Protexa Security Chicago as a security guard. In May 2024, Applicant submitted his application for this police officer position with CPD.

# **Basis #5:** Disqualification Based on Other Conduct

The findings set forth in each factual finding above show that Applicant engaged in the conduct alleged by OPSA in Bases #1- #4.

## **Conclusions of Law**

Pursuant to the Municipal Code of Chicago ("MCC") 2-84-035(c), the standard of review for appeals of disqualification and removal of an applicant's name from the Eligibility List is that the applicant shall have the burden of showing, by a preponderance of the evidence, that the Department's decision to remove the applicant from the Eligibility List was erroneous. Pursuant to Police Board Rule of Procedure VII.E, any facts, evidence, or arguments omitted from the Department's Notice and Response are deemed waive. Pursuant to Police Board Rule of Procedure VII.B, any facts, evidence, or arguments omitted from an applicant's appeal are also deemed waived.

Basis #1: Disqualification Based on Criminal Conduct/Conduct Involving Drugs

Section IV.B.7(a)(4) of OPSA's Standards states that an applicant who has sold, distributed, possessed or manufactured any illegal drug, other than marijuana, *at any time*, *will* be found unsuitable for employment. Since Applicant admitted to OPSA investigators that he drove his friend [Name redacted] to Charleston, Illinois to drop of what Applicant "believed to be Ecstasy, or something like that," Applicant must be found unsuitable for employment. Applicant failed to show that OPSA's decision to remove him from the Eligibility List for rehire pursuant to Basis #1 was erroneous.

<u>Basis #2</u>: Disqualification Based on Criminal Conduct/Conduct Indicating Dishonesty

OPSA's Standard IV.B.7(b)(1) states, in part, that any conduct demonstrating a reputation or propensity for dishonesty may be grounds for disqualification, including conduct demonstrating a propensity for theft. An applicant who has engaged in any act falling within the scope of this section that constitutes a misdemeanor more than one (1) time in his or her life, may be found unsuitable for employment.

Applicant's conduct during the incident involving the covert CPD vehicle does not "demonstrate a reputation or propensity for dishonesty." However, Applicant admitted to committing two separate thefts, and both would have constituted misdemeanors. He stole the baseball from Walmart when he was between 19-21 years-old, and the sunglasses as recently as 2020, when he was 24 or 25 years-old. Applicant failed to show that OPSA's decision to remove him from the Eligibility List pursuant to Basis #2 was erroneous.

<u>Basis #3</u>: Disqualification Based on Criminal Conduct/Conduct Indicating Violent Tendencies OPSA Standard IV.B.7(c) states, in part, that an applicant who engages in any conduct demonstrating a propensity for violence that would constitute a misdemeanor, more than one (1) time in his life, *will* be found unsuitable for employment. Such conduct may include behavior that would constitute offenses against property, robbery, disorderly conduct, and mob action.

Applicant admitted that he and friends committed an offense against property when he and his friends unlawfully entered Christ the King Elementary School and "caused damage to whatever they wanted." Likewise, he admitted that he and [Name redacted] attempted and botched the robbery of their classmate's marijuana. Consequently, Applicant has admitted to violent conduct "more than one (1) time in his life and *will* therefore be found unsuitable for employment. Applicant failed to show that OPSA's decision to remove him from the Eligibility

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List pursuant to Basis #3 was erroneous.

**Basis #4:** Disqualification Based on Prior Employment History

OPSA Standard IV.D. states, in part, that an applicant who has been discharged or disciplined for offenses which include any act of insubordination or failure to follow regulations, or who has a history of sporadic employment as evidenced by frequent changes in employment of short duration, may be found unsuitable for employment. Further, an applicant who, during previous employment, has engaged in any conduct that would have violated CPD's Rules and Regulations had the applicant been a Chicago Police Department employee, may be found unsuitable for employment. The fact that Applicant self-reported much of the conduct OPSA cites to disqualify him does not mitigate the seriousness of his conduct.

Applicant does not dispute that in April, 2021, he "resigned pending insubordination investigation," from his position as a security guard for U.S. Security and Protective Services. He also does not dispute that before resigning, he received a written warning and formal suspension for "Insubordination, Excessive Complaining, and Examples of Employee Dissatisfaction," or that he refused to sign off on the formal suspension. In fact, he admitted that he defied his supervisor's orders and missed work to attend his former military comrade's funeral. Whether the suspension was fair or unfair need not be debated four years later -- The evidence clearly shows that Applicant was "disciplined for offenses which include any act of insubordination or failure to follow regulations." Had Applicant been employed as a Chicago Police Officer at that time, he would have been in violation of Chicago Police Department ("CPD") Rule 7:

Insubordination or disrespect toward a supervisory member on or off duty.

In addition, Applicant's employment history may certainly be considered by OPSA as "sporadic." After resigning from U.S. Security and Protective Services, he worked as a security

guard for Chuck E. Cheese for only one day and then obtained another security guard position in July 2023. Ten months later, in May, 2024, he applied for this police officer position with CPD.

Applicant failed to show that OPSA's decision to remove him from the Eligibility List pursuant to Basis #4 was erroneous.

# **Basis #5:** Disqualification Based on Other Conduct

OPSA's Standard IV.H.1 states, in part, that any applicant who has engaged in conduct that exhibits a combination of traits disclosed during the pre-employment investigation that would not by themselves lead to a finding that an applicant is unsuitable for employment, but when taken as a whole, exhibit that the applicant is not suited for employment as a police officer, will be found unsuitable for employment.

To support its disqualification based on Standard IV.H.1, OPSA's Disqualification

Decision repeats the same disqualifying conduct alleged in Bases #1- #4. As set forth above,

OPSA successfully alleged that Applicant is unsuitable for employment based on all of those bases, collectively proving Applicant unsuitable for employment.

Applicant failed to show that the decision to remove him from the Eligibility List pursuant to Basis #5 was erroneous.

### Conclusion

Applicant admits he engaged in most of the conduct OPSA cites to justify its

Disqualification Decision and Applicant's Appeal fails to bring to the Board's attention

additional facts directly related to the reasons for disqualification. Applicant failed to meet his

burden of showing, by a preponderance of the evidence, that the decision to remove him from the

Eligibility List was erroneous. Based upon the details provided in OPSA's Disqualification

Decision, Applicant's prior conduct and employment history are grounds for disqualification

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based on Sections IV.B, D, and H of OPSA's Standards.

Recommendation

Based on the 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/ LAUREN A. FREEMAN

Appeals Officer

Date: April 11, 2025

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### 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 8 in favor (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:

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  $17^{\rm th}$  DAY OF APRIL 2025.

Attested by:

/s/ CLAUDIA BADILLO Vice President

/s/ MAX A. CAPRONI Executive Director