

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF THE APPEAL BY)	
[NAME REDACTED],)	No. 25 AA 07
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 (“PPO”) position with the City of Chicago. In a letter dated April 3, 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 (Candidate Background Investigation Summary), materials from the investigative file, and notice of the right to appeal. The materials OPSA sent to Applicant are collectively referred to as the “Disqualification Decision”.

On April 25, 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 June 9, 2025, OPSA filed a response to the Appeal (“Response”). On June 16, 2025, Applicant filed a reply to the Response entitled, “[Name redacted] Response to the Rebuttal” (“Reply”).

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

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 Conduct¹

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; 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.

¹ Section IV.B. of OPSA Special Order 21-01—Pre-Employment Disqualification Standards for Applicants for the Position of Police Officer.

OPSA cited the following conduct, in summary:

While employed as a Cook County Sheriff Correctional Officer (“CCSCO”) and then as a Chicago Police Department (“CPD”) PPO, Applicant was a Respondent in two separate Emergency Orders of Protection filed by ex-girlfriends:

1. Cook County Emergency Order of Protection (“EOP”) #24D579043 – Issued September 23, 2024

While Applicant was employed as a full-time CPDPPO from April 16, 2024 – September 24, he was named and served as a Respondent in EOP#24D579043, issued September 23, 2024, resulting in the suspension of his Illinois Firearm Owner Identification (“FOID”) card. FOID card possession is a mandatory requirement for all Chicago Police Officers. Applicant resigned from CPD the following day.

The EOP petitioners were Applicant’s ex-girlfriend (“V.C.”) and their son (“M.S.”). The EOP prohibited Applicant from engaging in harassment, physical abuse, stalking, intimidation of a dependent, and interference with personal liberty, and was entered during Cook County Civil Litigation Case # 2024D579043 (Petitioner’s Petition Allocation Parental Responsibilities – Self-Rep Litigation, filed 31 July 2024).²

2. DuPage County EOP #2021OP000557

Prior to obtaining his PPO position with CPD, Applicant was employed as a full-time CCSCO from May 2017 until April 16, 2024. On May 10, 2021, he was named as the Respondent in an EOP filed by a different former girlfriend (“E.P.”) issued in DuPage County Circuit Court. The EOP was to expire May 24 2021, but was extended until July 14, 2021, and

² OPSA noted, “This case is still open,” but did not clarify whether it was referring to the EOP or the underlying parental responsibilities case.

then again until August 18, 2021.

Per the CCS's Office of Professional Review ("OPR") report, Applicant was alleged to have hit E.P.'s son with a belt, leaving bruises discovered by the child's school. E.P. also alleged Applicant continued to contact E.P. by phone and show up at her workplace after she informed him that she did not want to speak to him. The EOP prohibited Applicant from abusing, harassing, stalking, or contacting E.P. and prohibited him from going to her residence.

The EOP resulted in the suspension of his FOID card, rendering him unable to carry a firearm. On May 12, 2021, he was de-deputized by the CCS and relieved of his law enforcement powers. He was consequently investigated for Conduct Unbecoming (off-duty) by OPR in Investigation JDE #1120415. The charge was not sustained. Per the OPR report, he was additionally investigated by DCFS regarding the allegations that Applicant had hit E.P.'s son with the belt.

Basis #2

Disqualification Based on Prior Employment History³

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 CPD, which in turn is vital to the CPD'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.
2. A poor employment history may 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 be found unsuitable for employment.
3. Further, an applicant who, during previous employment, has engaged in any

³ Section IV.D. of OPSA Special Order 21-01.

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:

The same conduct supporting disqualification pursuant to Basis #1 also supports disqualification under Basis #2. OPSA further contends that this conduct, would have violated the following CPD's Rules and Regulations had the applicant been a CPD employee:

- Rule 1⁴ – Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department
- Rule 8 – Disrespect to or maltreatment of any person, while on off duty
- Rule 9 – Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

Basis #3

Disqualification Based on Indebtedness⁵

1. Police officers are occasionally required to handle significant amounts of currency in the execution of their duties. Further, police officers with significant indebtedness are considered particularly susceptible to corruption and coercion. Therefore, any applicant who has current personal debts not related to a business, mortgage loans, student or auto loans, or medical bills the total of which is in excess of fifty percent (50%) of the annual starting salary of a Chicago Police Officer at the time of application, or at any point during the hiring process, will be found unsuitable for employment. Regardless of the source of the debt, an applicant who has defaulted on any loan or has an inconsistent payment pattern may be found unsuitable for employment.
2. Any applicant who owes a debt to the City of Chicago at any time during processing will be given a reasonable amount of time to clear those debts. Any applicant who owes a debt to the City of Chicago at the time of hire will be found unsuitable for employment.

⁴ OPSA mis-states the language prohibited by Rule 1 of CPD's Rules of Conduct. Rule 1 prohibits acts which include: "Violation of any law or ordinance." Rule 2 prohibits acts which include: "Any failure to promote the Department's efforts to achieve its policy or accomplish its goals. Whether or not OPSA meant to allege Applicant violated Rule 1 or Rule 2, this Report's analysis and recommendation would remain the same.

⁵ Section IV.G. of OPSA Special Order 21-01.

OPSA cited the following conduct, in summary:

Applicant filed for Chapter 7 Bankruptcy on October 2, 2019. The bankruptcy case was closed on January 2, 2020, and terminated on January 6, 2020. In October, 2023, Applicant sustained a “Charge-off” for a Capital One debt in the amount of \$7,425.

Basis #4

Disqualification Based on False Statements or Omissions and/or Failure to Cooperate in the Application Process⁶

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 CPD’s force and the integrity of its hiring process. Therefore, applicants are expected⁷ to cooperate with the City of Chicago and the CPD 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 could⁸ 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 CPD; or failing to appear for scheduled appointments or processing sessions as directed.

OPSA cited the following conduct, in summary:

“Applicant is currently a Respondent in civil Cook County Civil Litigation Case # 2024D579043 for Petition Allocation Parental Responsibilities – Self Rep Litigation (filed 31 July 2024) ... An Emergency Order of Protection was filed against the candidate within this

⁶ Section IV.I. of OPSA Special Order 21-01.

⁷ The OPSA Background Investigation Summary incorrectly stated “required” rather than “expected.”

⁸ The OPSA Background Investigation Summary incorrectly stated “shall” rather than “could.”

case.”

Appeal Summary

Applicant filed a voluminous Appeal consisting of an Introduction, a Closing Statement, and 30 exhibits. His Appeal is summarized, as follows:⁹

Introduction

Applicant dedicated the past seven years to a career in law enforcement. He served as a CCSCO until he was appointed as a CPDPPO on April 16, 2024. He resigned from CPD on September 24, 2024 for personal reasons related to a custody case involving false accusations made against him pertaining to his seven-year-old son.

He regretted resigning from CPD and in November, 2024, he reapplied. When applying, he provided nearly the same information he provided for his previously successful application, including information regarding the terminated 2021 DuPage County EOP and his prior bankruptcy/Charge-off. The only additional circumstance for the new application was the 2024 Cook County EOP, which had been vacated by Judge Julie Aimen on October 24, 2024, after she found it was based on false information.

On January 7, 2025, the background investigation for his current application was assigned to Investigator John Halko. On January 15, 2025, Applicant promptly furnished Investigator Halko with the information Halko requested. Halko subsequently interviewed Applicant’s fiancé (“A.L.”) and other witnesses who all provided positive feedback about Applicant’s character. On January 24, 2025, Investigator Halko inquired about the status of Applicant’s Cook County child custody case. Applicant shared case details with him and told

⁹ This Report will only include arguments and exhibits the Board may find relevant to the specific bases OPSA used for its Disqualification Decision.

him that when Judge Aimen vacated the 2024 EOP, she granted Applicant immediate parenting time with his son.

On January 29, 2025, Applicant learned that his background investigation had been finalized on January 28, 2025, resulting in a rejection summary report. To support Applicant's rejection, Investigator Halko used the two prior EOPs filed against Applicant and the previously reviewed bankruptcy and Charge-off.

When he submitted his initial CPD application in 2023, Applicant provided all requested information, including the DuPage County EOP dismissal paperwork and his Chapter 7 bankruptcy/Capital One Charge-off. After a thorough investigation by Kentech Investigator Chillari and OPSA Investigator Washington, the Department found neither one disqualifying. He was pleased to join CPD after the first investigation came back clear.

Per CCS protocol, the incident that formed the basis for the earlier of the two EOPs was investigated by OPR and by DCFS. On October 7, 2021, after Applicant fully cooperated in those agencies' investigations, DuPage County Judge Demetrios Panoushis dismissed the EOP as baseless and unsubstantiated. Applicant was never arrested, charged, or administratively disciplined, based on those allegations.

For the reapplication, Investigator Halko now erroneously finds the DuPage County EOP and bankruptcy/Charge-off to be disqualifying, along with the 2024 Cook County EOP that was vacated. Halko made inaccurate assertions in his rejection summary, and never requested additional documentation, which indicates a lack of thoroughness. Applicant attempted to contact him numerous times but never received a reply.

On January 30, 2025, Applicant forwarded evidence to Investigator Halko refuting V.C.'s false claims and on January 31, 2025, Applicant then spoke to him for 30 minutes by phone and

expressed his concerns regarding Halko's findings. Halko expressed disinterest in reviewing the Judge's dismissal decision and advised Applicant to pursue an Appeal with the Police Board.

Closing Statement

Applicant reviewed the information that OPSA provided to him via email and now sends a significant amount of exhibit files and information with this Appeal.

On January 27, 2025, V.C. emailed Investigator Halko with what she claimed to be evidence but were lies and fraudulent information, including allegations that Applicant did not want to help take care of their son or provide financial support, had alcohol on his breath when involved in a semi-truck accident in 2021, used drugs, and was abusive. However, had Investigator Halko reviewed Kentech Investigator Chillari's December 3, 2023 interview with V.C., Halko would have seen that at that time, she told Investigator Chillari that Applicant was a good provider, did not display anger issues toward her or others, and had never been involved in incidents of abuse or domestic violence (Exhibit F described below, Page 3). She also told Chillari she was not aware of any circumstances that would disqualify Applicant for public service and she believed he would make a good police officer. Despite what V.C. reported to Chillari in the prior investigation, Investigator Halko formed negative judgements of Applicant based on newly fabricated information. Halko did not bother to verify the truth of her claims; he simply assumed Applicant was guilty.

Applicant wonders whether his treatment would have been different if his "race wasn't (Black) or last name was not [Name redacted]." [*sic*]. Halko never bothered to ask him for evidence disproving V.C.'s claims. Applicant believes Halko discriminated against him, was biased, and neglected to consider the facts of the case.

The 30 attached exhibits establish Applicant's innocence and clearly indicate that V.C. is

lying and “has hidden motives.”

Applicant’s Exhibits (A through DD)

Applicant attached an 18-page document entitled, “Exhibit List and Details,” along with his exhibits. The exhibits most relevant to OPSA’s Disqualification Decision bases are summarized as follows:

Exhibit D: OPSA’s detailed Background Investigation Summary Report Data Entry (for the most recent investigation). On this document, Applicant highlights several entries: Investigator Halko’s favorable interview with A.L.; the fact that Investigator Halko was aware that DCFS “unfounded” the allegations precipitating the 2021 DuPage County EOP; the fact that when Applicant resigned from CPD, he was eligible for rehire, and Investigator Halko’s notation that Halko reviewed Applicant’s prior February 2024 Kentech/OPSA investigation (in which OPSA found that Applicant’s 2021 EOP and his bankruptcy/Charge-Off were not disqualifying). Applicant attaches these entries to show that despite Halko’s knowledge of all of this favorable information, Halko still found Applicant ineligible for rehire.

Exhibit E: OPSA Investigator Washington’s February 21, 2024 Background Investigation for Probationary Police Officer Report (for the prior investigation). The report includes facts surrounding the 2021 EOP and bankruptcy/Charge-Off.

Exhibit F: Kentech Investigator Chillari’s 2023 Background Investigation Report. This report shows that Kentech analyzed Applicant’s 2021 EOP, bankruptcy, and Charge-Off, and did not find any of them disqualifying. Additionally, Applicant highlights Investigator Chillari’s reported interview with V.C. on December 8, 2023, in which she painted a complimentary picture of Applicant and his relationship with their son.

Exhibit G: January 30, 2025 Email from Applicant to Investigator Halko. The email reflects that on January 29, 2025, Applicant learned he was disqualified by OPSA, partially because of the two EOPs previously filed against him and because his family court case was still active. In the email, Applicant informed Investigator Halko that both EOPs had been dismissed (one of them vacated) and that he had been falsely accused in both of them. Applicant also forwarded exhibits to Halko supporting Applicant’s positions.

Exhibit J: Official Court Reported Trial transcript October 24, 2024, in the Cook County case of *V.C. OBO M.S. vs. [Name redacted] v. [Name redacted]*, No. 2024-D-579043. This transcript shows that following an evidentiary hearing, which included V.C.’s testimony, Judge Aimen found the evidence presented insufficient to justify the EOP and consequently vacated it. Applicant contends this transcript shows that although V.C. accused him of consuming alcohol in the presence of their son, “the judge stated she was convinced that he did not have a problem with alcohol” but ordered Applicant to participate in the Soberlink program for the next 90 days, requiring alcohol testing when spending time with M.S.

Exhibit K: Timeline of the relationship between Applicant and V.C. between November 2023 and September 21, 2024. Applicant used this timeline to discredit V.C.'s EOP allegations by showing how well he and V.C. got along until he began dating his current girlfriend and attended the CPD Academy.

Exhibit M: Court Order entered February 6, 2025, which terminated Applicant's Soberlink obligation and showed that the EOP had been vacated, leaving the allocation of parental responsibilities and parenting time as the only remaining issues in the pending family law case.

Exhibit N: Soberlink Client Detail Report, showing Applicant's compliance throughout the 90-day testing period. Applicant uses this exhibit to show that V.C.'s allegation that Applicant consumed alcohol while with M.S. were false.

Exhibit O: Court Order with Statutory Findings Regarding Petition for Order of Protection in case # 2021OP000557. After an evidentiary hearing, DuPage Circuit Court Judge Demetrios Panoushis found it unlikely, based on the evidence presented in court, that the Respondent (Applicant) will cause irreparable harm or abuse to E.P., and denied E.P.'s request for an Order of Protection. Applicant posits that prior to dismissal, the EOP had been extended for several weeks solely for the purposes of scheduling, subpoena issuance, and evidence collection for the upcoming hearing, not because Judge Panoushis found E.P.'s allegations meritorious (as inferred by OPSA's Disqualification Decision).

Exhibit P: Cook County Sheriff's Office OPR Summary Report dated September 6, 2022, finding allegations made against Applicant by E.P. "not sustained." The Report also notes that DCFS had "unfounded" E.P.'s allegations. Text messages Applicant submitted in that case showed that E.P. had asked Applicant to lie to DCFS about the source of her son's injuries, suggesting they were not caused by Applicant. The Judge also credited Applicant's testimony that he never harassed E.P. by going to her home or workplace – He had been attempting, unsuccessfully, to retrieve his belongings and keys from her.

Exhibits Q, and R: Emails between Investigator Halko and V.C. between January 27, 2025 and January 29, 2025. Applicant alleges that these emails contain misleading and fraudulent allegations she had never made before. These allegations include the following:

I know I mentioned that [Name redacted] was physically abusive on numerous occasions but I also wanted to add that in 2017 I was pregnant with twins. During an argument with (Applicant), he dragged me by my ankle down a flight of stairs leading to the demise of both twin fetuses.

She also alleged that he had placed a tracking device on her phone, smelled of alcohol following an accident in Indiana, displayed reluctance to pay child support, associated with a friend named "[Name redacted]" who supplied drugs to him, and that he exhibited violent behavior outside of her residence. Applicant argues that V.C.'s allegations stand in stark contrast to the favorable information she provided in her interview with Investigator Chillari. He further rebuts V.C.'s allegations by attaching Exhibits T-W and by arguing as follows: The exhibits show his multiple voluntary child support payments to V.C since 2021; He has never possessed the phone number

or email address shown in Exhibit R which V.C. claims he used to order the alleged tracking device; V.C. fabricated text messages and conversations that never occurred; and Police reports do not reflect he was under the influence of alcohol when involved in the Indiana accident (as corroborated by Exhibit S). Applicant further contends that he has not used drugs since he used cannabis in high school, never failed random drug tests while working as a CCSCO, and passed both OPSA polygraph tests pertaining to drug use.

Exhibit X: Text messages between Applicant and V.C. from November 2023 to May 2024. Applicant attaches these exhibits to show V.C. originally supported his employment with CPD. By March 18 2024, she had become angry and bitter about his career choice because it interfered with her personal schedule.

Exhibit Y: Our Family Wizard (a court-ordered communication application) conversation between Applicant and V.C. on November 18, 2024. Applicant contends that this conversation shows V.C.'s animosity toward him when she had to cancel a trip to visit her boyfriend due to child care issues caused by Applicant's CPD training.

Exhibit Z: Petitioner's (V.C.'s) Notice of Intended Relocation to Texas, filed December 18, 2024 in Case # 2024 D 579043 (the pending family law case). Applicant states that V.C. filed this petition to relocate after her initial fraudulent order of protection failed, and that her actions stem from her anger at his desire to prevent her from moving her son from Illinois.

Exhibit AA: Petitioner's (V.C.'s) Petition for Child Support, filed December 26, 2024. Applicant alleges this shows V.C. "provided false information to the court" (but does not specify which information is false).

Exhibit BB: Petitioner's (V.C.'s) Petition for the Minor's Relocation, filed January 29, 2025. Applicant alleges that V.C. filed this petition to help her relocate her son to Texas after her initial strategy of seeking a fraudulent EOP failed.

Exhibit CC: Photographs of Applicant and his son taken from September 2020 through December 2024, submitted to show Applicant's exemplary co-parentage and his bond with his son after Applicant and V.C. separated.

Exhibit DD: Recommendation Letters and Photos. The exhibit contains complimentary letters recommending Applicant for rehire -- two from former PPO classmates and one from his former homeroom instructor -- as well as group photographs of Applicant at the Academy.

Response Summary

OPSA responds to Applicant's Appeal as follows:

OPSA (often referred to as "the Department" in its Response) reviewed Applicant's Appeal request and refers to/relies on the facts and evidence relating to the disqualification

contained in Applicant's file. The evidence in the file supports its decision to disqualify Applicant from hiring and the Department is within its rights to do so -- the pre-employment disqualification standards upon which Applicant's disqualification is based are clear, as delineated in the Disqualification Decision. In addition, the Department attaches addendums to this file, specifically referring to Exhibit Q (regarding Domestic Violence to V.C.) which was submitted by the Candidate to the Board in his appeal¹⁰

Basis #1 and #2: Disqualification Based on Violent Tendencies – “a violation of Multiple Local, State, and Federal Laws, and Disqualification Based on Prior Employment History:

V.C. relayed to the investigator that Applicant had been ‘physically abusive numerous times.’ In one such instance, when V.C. was pregnant with twins in 2017, Applicant ‘dragged her down a flight of stairs by her ankle leading to the demise of both twin fetuses.’ OPSA did not include the incident in their original Disqualification Report “because the Department investigator respected the victim’s right to remain anonymous out of fear for her own safety, and for the sake of the child they currently have together.” “It is only because of a discovery put in motion by a separate lawsuit brought by (Applicant), that this was revealed.”¹¹[sic]

Referring to the information contained in Exhibit Q as fraudulent does not make it fraudulent and the investigator was not biased – he reported facts. “It is a fact that multiple women whom (Applicant) has past relationships with filed orders of protection and seem to be afraid of him – domestic violence cases are complicated by nature.” Arrests for domestic violence require a complainant and many domestic violence victims are reluctant to move forward with legal action – “especially when the abuser directly confronts them and they have a

¹⁰ Despite this representation, OPSA did not attach any additional exhibits or “addendums” to their Response. In addition, the emails that appear in Exhibit Q were, in fact, sent to Applicant as an exhibit attachment to OPSA’s Disqualification Decision.

¹¹ OPSA provides no further information about what lawsuit or “discovery” it refers to.

child in common, which means more than likely it will be difficult without legal intervention to escape the abuser.” Two different judges issued Orders of Protection and granted extensions. Applicant’s own Exhibit J (pages 5-9) shows that Judge Aimen explicitly refers to Mr. [Name redacted]’s mood, drinking, and stress, that V.C. felt unsafe around Applicant, and that she worries about their child. Notably, the Judge mentions putting up ‘guard rails,’ and subjected Applicant to alcohol testing and monitoring.

According to hiring standard, IV B.1, “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... It is the conduct itself, not the fact the applicant was convicted, that makes them unsuitable for employment.” Applicant’s past actions reveal that had he been in CPD’s employ, ‘he would have been in violation of multiple rule violations and at least one felony, each of which would serve by themselves as grounds for disqualification.”

Basis #4: Disqualification Based on False Statements or Omissions and/or Failure to Cooperate in the Application Process:

Applicant falsely claimed there was no change in his circumstances, which is untrue based on some of the evidence that he, himself, submitted. His assertion that he resigned for personal reasons is “patently disingenuous... another example of his manipulative behavior... and is grounds for disqualification.” In truth, Applicant resigned “in lieu of termination.” – He would have been “automatically” terminated from the Academy because his FOID card was suspended or revoked, and he had an Order of Protection

In addition, the investigator requested further information pertaining to the investigation, including “the finalized child custody case” and “other miscellaneous items,” but Applicant did not provide them.

Reply

Overview

Applicant filed a lengthy and detailed Reply and attached five additional exhibits. In his Reply, he alleges that OPSA's Disqualification Decision was based on "unlawful racial discrimination," in violation of the City's Municipal Code, the Illinois Human Rights Act, and Title VI of the Civil Rights Act of 1964. He informs the Board that he filed a complaint with the Chicago Commission on Human Relations against OPSA alleging he was "subjected to disparate treatment, selectively disqualified based on vacated, unfounded, and previously resolved matters, and denied fair consideration based on unverified claims that were not similarly used to disqualify other applicants." He further alleges that the Department ignored exculpatory court records, neutral investigative findings, and its own prior hiring decision made just months earlier after thoroughly vetting him.

The core of his Reply alleges that EOP Petitioner V.C.'s statements were not only contradictory and unreliable, but that her claims were strategically elevated while his documented evidence, judicial rulings, cleared background checks, and compliance with all investigatory requests, were disregarded. He believes this demonstrates a lack of procedural integrity and raises a presumption of bias under well-established legal precedent.

Specific Replies

Applicant organizes his Reply into 15 sections, and argues each as summarized below:

I. Conflicting Statements from V.C. Undermine Credibility

Applicant again points to the "dramatic and troubling shift" in V.C.'s statements between her December 8, 2023 phone interview with Investigator Chillari and her January 2025 communications with Investigator Halko where she alleged incidents of domestic violence she

had never previously mentioned. These uncorroborated allegations were not motivated by truth but by custody litigation strategy after the Court vacated her EOP, and the Department should not have afforded them weight.

II. Fabricated Evidence and Technological Manipulation: A Serious Due Process Concern

Exhibits Q and R, contain inaccuracies and were not adequately vetted by Investigator Halko. These call logs and email screenshots reflect phone numbers and email addresses that Applicant never possessed.

III. Relevant Legal Precedent: Misuse of EOPs in Custody Disputes

Illinois courts have warned against the misuse of protective orders in custody cases and stress the importance of verifying claims made for legal leverage.

IV. The Truth Behind V.C.'s Claims -- and What She Left Out

Applicant and V.C. separated in 2020 but he continues to financially support their son and in November, 2023, months after the alleged behavior occurred,¹² they all took a family trip to Disney World and Universal Studios together. Exhibits GG and II show happy family photos of the trip. If V.C. truly feared him, they never would have traveled together. Additionally, Exhibits T-W rebut V.C.'s claims that he failed to contribute financial support for M.S. Exhibit X, text messages between Applicant and V.C., show that in 2023, she encouraged him to apply to CPD.

V. Rebuttal to OPSA's Improper Reliance on Alleged Rule Violations and Prior Employment History

Applicant never violated CPD Rules 1, 8, and 9 during prior employment. Pertaining to Rule #1. OPSA's Disqualification Decision fails to cite any specific laws or ordinances he

¹² Applicant does not specify which "behavior" he refers to.

violated and he was never arrested, charged, or convicted of any offenses. Illinois law prohibits the use of non-conviction records in employment decisions.

Rules #8 and #9 are designed to address proven behavioral misconduct – not to retroactively penalize someone for family court disputes or custody-related civil proceedings that were resolved in their favor. The alleged rule violations are derived almost entirely from the vacated 2024 EOP, the 2021 EOP (which was fully investigated and unfounded by DCFS as well as not sustained by the CCS), hearsay, and email communications from a hostile ex-partner that lack corroborative evidence. While working for both the CCS and CPD, Applicant had no negative disciplinary history. Further, OPSA's disqualification is based on speculation in violation of the Illinois Human Rights Act and Supreme Court caselaw which provides that when an employer gives shifting, exaggerated, or unsupported justifications for an adverse decision, it gives rise to an inference of discriminatory intent.

There were no changes in the facts and circumstances between the time he was vetted and hired by CPD in 2024, and his present disqualification. The CPD rules OPSA now claims he violated are based on the same record that previously did not disqualify him and that the inconsistency is evidence of OPSA's bias, not his own misconduct. OPSA's rule violation charges are "legally and ethically improper and weaponizes unresolved civil, and personal matters to sidestep the legal standard, 'innocent until proven guilty.'

VI. Rebuttal Disqualification Based on Indebtedness

Exhibits D, E, and F prove that this issue was fully disclosed, reviewed, and cleared, during his original background investigation. This evidences disparate treatment resulting from arbitrary, inconsistent, and discriminatory application of hiring standards.

VII. Rebuttal to Inapplicable Case Law Cited by OPSA¹³

The cases cited by OPSA are inapplicable to his factual circumstances and do not reflect the legal standards that apply to pre-employment decisions based on non-conviction records or vacated protective orders.

VIII. Clarification Regarding the Circumstances of (Applicant's) Voluntary Resignation

Applicant did not resign from his CPDPPO position "in lieu of termination" or to avoid discipline. Contrary to OPSA's claim, he was not aware that the EOP had been entered the previous day. The day he resigned, he filed a Counter-Petition to Seek Allocation of Parental Responsibilities and a Defined Parenting Schedule (Exhibit FF). This shows that he resigned from a sudden, urgent need to address family court matters involving his child.

IX. Clarification Regarding Custody Proceedings and the Vacated EOP

OPSA's Response that, "the candidate is involved in an active child custody case, which to the best of (OPSA's) knowledge, has not been vacated," conflates the fully vacated EOP with the ongoing family court proceeding concerning the allocation of parental responsibilities and parenting time. A vacatur is a formal nullification by the court, indicating that the legal basis for the order no longer exists and should carry no weight moving forward. The pending family court case is standard and routine litigation without indication of misconduct, legal fault, or disqualifying behavior. To suggest that the continued pendency of a family law matter justifies disqualification – absent any findings that would reflect poorly upon Applicant – sets a dangerous precedent. It penalizes responsible and law-abiding parents who seek to remain actively involved in their children's lives through the proper legal channels. Notably, the same

¹³ Applicant cites several cases to argue that Illinois law prohibits employers from using uncharged criminal allegations and vacated court orders to justify employment decisions. However, Standard IV.B.7(c) allows OPSA to consider "any conduct demonstrating a propensity for violence."

judge who vacated the EOP subsequently granted Applicant parenting time – further confirming that the judge did not view him as a threat or as an unfit parent.

X. Rebuttal to OPSA’s Mischaracterization of (Applicant’s) Conduct and Improper Use of Non-Conviction Allegations

OPSA’s Response asserting that “multiple women ... filed orders of protection and seem to be afraid of (Applicant),” is not only misleading – it is speculative, unsupported by adjudicated facts, and inconsistent with municipal, state, and federal law prohibiting bias, inconsistent application of standards, and reliance on unverified allegations. It denies Applicant the benefit of due process and disregards favorable court rulings and investigative outcomes. Neither the DuPage nor Cook County court case resulted in criminal charges, findings of abuse, or adverse legal determinations.

OPSA characterizes Applicant as “manipulative” and “dishonest” – language not supported by court findings, evidence, or Investigator Washington’s findings in 2024. Investigator Halko also disregarded documents that Applicant submitted on January 30, 2025 evidencing that the 2024 EOP had been vacated, and showing his consistent cooperation throughout both Kentech/OPSA investigations. Applicant made multiple efforts to correct the record and supply the department with accurate, verifiable documentation.

Further, OPSA’s Response argues the social theory that many domestic violence victims are “reluctant to come forward.” While this may be true in general, such theories cannot substitute for individualized, verifiable evidence in employment decisions. Hiring decisions must be rooted in due process, not conjecture or fear-based assumption.

The only difference between the information leading to Applicant’s 2024 employment and the present disqualification “is that the information has been reframed by a different investigator, using speculative language and selective omission.”

XI. Clarification Regarding Court-Issued Orders and Procedural Extensions

OPSA fundamentally mischaracterizes how EOPs function when it asserts that “two different judges agreed and issued Orders of Protection,” and “extensions were granted,” as if this affirms the credibility of the underlying allegations. However, EOPs are often initially granted without the accused party present (*ex parte*) based solely on the petitioner’s affidavit. OPSA misleads the Board by equating judicial process with judgment of guilt, which is both factually incorrect and legally improper. The Emergency Orders do not constitute findings of guilt, wrongdoing, or liability, and the extensions to which OPSA refers accommodated procedural necessities such as evidentiary disclosures, subpoena compliance, and judicial scheduling. Ultimately, both were dismissed. The September 2024 EOP was vacated a month after it was entered. If Judge Aimen had found Applicant threatening, he would not have granted him parenting time (Exhibit J) or would have limited his contact with V.C.

XII. Participation in Soberlink Program – A Willing Commitment to Fatherhood

OPSA’s attempt to weaponize selective judicial comments and procedural court actions, while ignoring the totality of legal proceedings and professional assessments, shows that OPSA attempted to justify Applicant’s disqualification through mischaracterization. After the 2024 EOP was vacated, the Court asked Applicant to participate in the Soberlink alcohol monitoring program as part of the Court’s precautionary approach in the early stages of the custody proceedings. While not a punitive order, Applicant embraced the opportunity fully and without resistance, knowing that his son’s well-being, and Applicant’s ability to be present in his life, was at stake. Applicant wished to show the judge his personal commitment to prove, through action, that he is a reliable and loving father who will always go above and beyond for his child. Applicant never had an issue with alcohol but understood that transparency and consistency

would help ease any concerns the judge may have and reinforce Applicant's role as a stable, committed father.

XIII. Rebuttal to Mischaracterization of Judicial Comments and Current Custody

In its Response, OPSA attempts to portray Applicant as emotionally unstable or potentially dangerous person, citing select language from Exhibit J, including preliminary comments made by Judge Aimen regarding his mood, drinking, and stress. These comments were made before she had a full picture of the case. Once she did, she vacated the EOP and granted Applicant parenting time the very same day. The judge used the term "guard rails" to reflect caution during a developing situation – not as a condemnation of Applicant's character.

OPSA also refers to V.C.'s most recent allegation that she felt unsafe around Applicant. In actuality, the Guardian Ad Litem ("GAL") and Court never issued any parenting restrictions or found Applicant to be unfit or dangerous. To the contrary, the GAL proposed a 50/50 shared parenting schedule (Exhibit HH) under which the parties have been operating without incident.

XIV. Rebuttal to OPSA's Unfounded Allegation of Rule Violations and Felony Conduct

OPSA's assertion that Applicant's "past actions" would amount to multiple CPD Rule violations or "at least one felony" is speculative, inflammatory, and unsupported by facts and legal findings. As Applicant stated previously, he has never been arrested or charged with any criminal offenses and OPSA cleared him for CPD employment after a comprehensive background review in 2024. The suggestion that his alleged conduct – based on unproven claims, vacated orders of protection, and hearsay – would result in rule violations or felony-level misconduct is a gross distortion and would bypass due process requirements.

Closing Statement

Applicant concluded his Reply by stressing his commitment to God, family, and career,

and his continued desire to serve, protect, and be present in the lives of those who need help in Chicago. He wishes the Board to consider the full record and conclude he has been transparent, cooperative, and consistent. He wishes to continue to serve the citizens of Chicago with the values that brought him to the Department -- honor and integrity.

Exhibits

In addition to re-attaching Exhibits DD, Y, and II, for Rebuttal purposes, Applicant attached five new exhibits, EE through II, and describes their purposes as follows:

Exhibit EE. Applicant's Resignation Document. Attached to rebut OPSA's mischaracterization that he resigned "in lieu of termination." The paperwork does not reference any disciplinary proceedings, pending charges, or involuntary separation, and supports his position that he left CPD temporarily to address urgent family court matters – not due to wrongdoing.

Exhibit FF. Counter-Petition for Allocation of Parental Responsibilities. Attached to rebut OPSA's contention that Applicant resigned because he learned he was named in an EOP and believed he would be immediately terminated. Applicant filed this petition the same day he resigned because he prioritized his commitment to assuring his involvement in his child's life over his job.

Exhibit GG. Family Photos – 2023 Orlando Trip (Disney World and Universal Studios). Attached for same purpose as Exhibit II.

Exhibit HH. Guardian Ad Litem (GAL) Recommended Temporary Parenting Order. Attached to rebut V.C.'s allegation that Applicant is a danger to his child or an unfit parent. The proposed Order, drafted by the GAL, proposes equal parenting time, demonstrating that a neutral party assessed Applicant as a responsible, safe, and capable parent.

Exhibit II. Family Video – Trip to Disney World November 13, 2023. Attached to demonstrate family warmth and unity. This rebuts OPSA's reliance on V.C.'s January 2025 statements alleging abuse by Applicant dating back to 2017, and supports her 2023 statement that Applicant had never displayed anger, violence, or criminal behavior.

Findings of Fact

The Appeal, Response, and Reply were timely filed. Pursuant to Police Board Rule of Procedure VII.B, any facts, evidence, or arguments omitted from Applicant's Appeal are deemed waived and pursuant to Police Board Rule of Procedure VII.E, any facts, evidence, or arguments

omitted from the Department's Notice and Response are deemed waived. Applicant's Reply and additional exhibits addressed the arguments made by the Department's Notice and Response.

Applicant is 38 years-old. In May 2017, he was hired as a CCSCO after working for 11 years as an Asset Protection Manager for Walmart. On May 10, 2021, while employed by the CCS, Applicant's former girlfriend, E.P., filed an *ex-parte* civil EOP against him in DuPage County. The EOP alleged that Applicant would not leave her alone after she broke up with him, and that DCFS had removed her son from her custody because Applicant had disciplined him with a belt and spoon. The EOP ordered Applicant to refrain from harassing or stalking E.P., prevented him from contacting her, and ordered him to stay away from her residence and place of business.

Since the DuPage EOP also prevented Applicant from possessing firearms, the CCS temporarily de-deputized him. The EOP was extended several times until a hearing took place on October 7, 2021. At the hearing, Applicant presented text message evidence showing that E.P. had suggested he lie to DCFS about the source of her son's injuries. Consequently, the judge terminated the EOP against him. In addition, neither DCFS nor CCS OPR sustained the allegations against him. Consequently, the CCS restored Applicant to his CCSCO duties and he worked as a CCSCO until April 2024.

On November 23, 2023, while in his sixth year of employment as a CCSCO, Applicant applied for a position as a CPDPPO. Kentech's/OPSA's 2023/2024 background investigation revealed the facts surrounding the DuPage County EOP. In his application (his responses to PHQ Questions, 38, 39, 42, and 43), he self-reported that in 2021, he appeared in court and had been questioned by police for an alleged Aggravated Battery to E.P.'s two-year-old child. He reported that E.P. was being investigated for possible child abuse and asked him to lie about the child's

bruises. When he refused, she falsely accused him of hitting her child. DCFS investigated and on July 20, 2021, unfounded the allegations against Applicant.

Applicant's recent Background Investigation Summary Report shows Applicant again offered details about E.P.'s 2021 EOP during his most recent polygraph examination. The polygraph results did not indicate that Applicant's answers were deceptive.

Kentech/OPSA's 2023/2024 investigation further showed that in January, 2015, Applicant began a relationship with V.C. and on December 3, 2017, they had a son together (M.S.). Applicant never denied parentage and helped financially support M.S. When Applicant and V.C. broke up in September, 2021, Applicant and V.C. voluntarily co-parented M.S. and Applicant sent V.C. monthly stipends. In November, 2023, they took a vacation to Disney World and Universal Studios together as a family.

On December 8, 2023, as part of his background investigation, Kentech Investigator Chillari interviewed V.C. over the phone. V.C. told Chillari that she and Applicant still had a loving relationship. She described Applicant as compassionate and as a good father and provider. She further told the investigator that Applicant had never displayed anger issues toward her or others, that he had never abused her or committed acts of domestic violence, that he had never committed any criminal acts, that she was not aware of any circumstances that could disqualify him for public service, and that he would make a good police officer.

In addition to vetting Applicant's personal and social connections, Kentech/OPSA also investigated Applicant's financial history. His 2023/2024 financial background investigation showed that on October 2, 2019, Applicant filed for Chapter 7 bankruptcy. The bankruptcy was terminated on January 6, 2020, and in 2023, as part of the bankruptcy, Capital One "charged off" (released) his debt of \$7,426.

On April 16, 2024, after undergoing the extensive Kentech/OPSA background investigation that included the aforementioned DuPage EOP, bankruptcy/Charge-off, and December 2023 interview with V.C., the Department hired Applicant and he began training at the Academy.

On July 31, 2024, V.C., filed a Petition to Establish Parentage, Child Support, and Allocation of Parental Responsibilities (Cook County Domestic Relations Court Case # 2024D579043). That case, which involves their now 7-year-old son M.C., is still pending.

On September 23, 2024, within that Domestic Relations case, V.C., on behalf of herself and M.S., filed a civil *ex-parte* Cook County EOP petition against Applicant. V.C.'s EOP did not alleged that Applicant had engaged in any violent or criminal conduct. Like the prior EOP, this EOP also ordered that Applicant stay away from petitioners, and refrain from abusing, harassing, or stalking the petitioner, intimidating a dependent, or interfering with the petitioners' personal liberty.

The following day, September 24, 2024, Applicant resigned from CPD. There is no evidence in the investigative file indicating that when Applicant resigned, he was aware that V.C.'s EOP had been filed against him the previous day. The day he resigned, he filed a Counter-Petition for Allocation of Parental Responsibility, within the pending domestic relations case.

A named respondent in a an EOP may not possess firearms and a respondent's FOID card will be temporarily suspended by the Illinois State Police. If a CPD member's FOID card is temporarily suspended, the Department will place him in a no pay status. However, since the member's FOID card is not being permanently revoked, the member will not suffer automatic separation from the Department. CPD does not automatically separate department members

without administrative due process.

On October 24, 2024, Judge Aimen vacated the Cook County EOP after an evidentiary hearing that included V.C.'s sworn testimony. In summary, V.C. testified that there were numerous times where she felt unsafe because Applicant's anger scared her -- one of those incidents occurred in 2016 and one in 2021. However, she also testified that when she felt he was under too much stress and his moods frightened her, she was always able to successfully put some distance between them, alleviating her fear. She did not testify that Applicant had ever threatened her, or acted violently toward her, their son, or anyone else. Based on V.C.'s testimony, Judge Aimen found no evidence that Applicant was currently physically or emotionally abusing or harassing V.C. Judge Aimen ruled, as follows:

*I heard and allowed in testimony about events that took place in 2016 and 2021 because it is from those events that (V.C.) feels unsafe, apparently. **However, I did not hear any testimony of current things that were happening between the parties that suggested abuse or harassment, or physical or emotional abuse going on.** (emphasis supplied)*

The fact that (V.C.) could put aside her differences and go with you to Disney for the sake of your son is remarkable. The fact that both of you looked happy in those pictures tells me that you are able to do fun things together. And for the sake of your child, I think that's really very nice...

This case is ripe for setting up some parenting issues. Or putting in some rail guards, such as perhaps [Name redacted] will need to test for alcohol when -- before and during his time with his child until I'm convinced there really is no alcohol problem. That since he wants to go to the Academy, I'm going to assume that he's going to prove this court wrong that there is any issue with alcohol.

*There is insufficient evidence to support the finding of an Emergency Order of Protection here today. **That the petition is deficient because there's nothing current that I can point to that would indicate to me that [Name redacted] is a danger to either you or to the minor child.** (Emphasis supplied)*

It's clear, however, that we need to trade some phone numbers, some addresses, some ways that we will communicate going forward so that each of you are secure in your whereabouts.

So, the Order of Protection is terminated today, and vacated...I do want some type of

alcohol testing for a period of time going forward so that (V.C.) knows that he's not intoxicated while he's with the child.

Applicant's Appeal Exhibit J; *V.C. OBO M.S. vs. Applicant*, No. 2024-D-579043, October 24, 2024, pages 7-9

Judge Aimen consequently ordered that Applicant undergo alcohol testing for a period of 90 days through Soberlink. Applicant complied and did not test positive for alcohol during the testing period.

On December 23, 2024, Applicant reapplied to CPD and was again required to undergo a mandatory Kentech/OPSA background investigation.

On January 27, 2025, V.C. and Investigator Halko exchanged several emails. Within the email chain, V.C. alleged, for the first time, that Applicant had been "physically abusive numerous times; but she wanted to add that in 2017 she was pregnant with twins and during an argument, Applicant 'dragged her down a flight of stairs by her ankle leading to the demise of both twin fetuses'." She additionally alleged that in the past, he had installed a hidden tracking application on her phone without her knowledge and had used illegal narcotics supplied by a former friend who had committed murder. There is no indication from V.C.'s emails, nor are there notations in Investigator Halko's file, that indicate she wished these allegations to remain confidential or wished to remain anonymous for her or her son's safety.

On January 28, 2025, OPSA Investigator Halko issued OPSA's present decision to disqualify Applicant from rehire. Investigator Halko, in summary, disqualified Applicant based on three underlying factors: the previously terminated DuPage County EOP, Applicant's 2020 Chapter 7 bankruptcy/Charge-Off, and the vacated 2024 EOP and pending child custody case. Investigator Halko attached numerous exhibits to support OPSA's present decision, including the prior 2023/2024 Kentech/OPSA investigative file. That file shows that Halko was aware that OPSA Investigator Washington, only months earlier, had reviewed Kentech's prior investigation,

which included the 2021 EOP and Applicant's bankruptcy/Charge-off and found neither disqualifying. Thus, the only additional circumstances leading to OPSA's present disqualification decision was V.C.'s vacated 2024 EOP, and the new interview information she furnished to Investigator Halko.

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 Applicant shall have the burden of showing, by a preponderance of the evidence, that the decision to remove Applicant from the Eligibility List was erroneous. Applicant has met this burden.

Basis #1: Disqualification Based on Violent Tendencies¹⁴

Pre-Employment Standard IV.B.7(c), set forth above, allows for disqualification based on conduct indicating violent tendencies. OPSA's initial Disqualification Decision states that the two EOPS entered against Applicant somehow evidence such conduct. OPSA's reliance on those EOPs is misplaced.

An emergency OP is an interim order prohibiting a Respondent from abusing or contacting a victim, and going to a petitioner's home or place of business. It does not equate to a judicial *finding* that the Respondent has abused, stalked, or is a danger to, the petitioner. An *ex parte* EOP is designed to protect a petitioner until an evidentiary hearing takes place. Only after a hearing will a judge determine whether the Respondent has, in fact, engaged in the alleged

¹⁴ OPSA's Response to Applicant's Appeal labels Basis #1 as "Disqualification Based on Other Criminal Conduct, Conduct Indicating Violent Tendencies Section IV – B Subsection 7c. (Multiple Counts) – a violation of Multiple Local, State, and Federal Laws." However, OPSA never specifies which laws Applicant violated.

behavior, whether a Respondent represents an ongoing threat to the petitioner, and whether a Plenary (long-term) Order of Protection should be entered. Applicant correctly argues that EOPs do not constitute findings of guilt, wrongdoing, or liability, and the extensions to which OPSA refers accommodate procedural necessities such as evidentiary disclosures, subpoena compliance, and judicial scheduling. For OPSA to suggest that Applicant engaged in violent conduct simply because he was a named respondent in two EOPs that were temporarily extended is unfair and improper, especially in light of the fact that after hearings, both petitions and Orders were dismissed.

In fact, only E.P.'s 2021 DuPage County EOP contains an allegation that Applicant engaged in any *violent* conduct – E.P. alleged that Applicant hit her son with a belt. However, her petition was ultimately dismissed when refuted by text message evidence and sworn hearing testimony. Furthermore, OPSA reviewed the facts surrounding that very same EOP just months earlier and did *not* find them disqualifying. In its current Disqualification Decision, OPSA does not offer additional facts pertaining to that 2021 EOP which justify its position change, nor does OPSA explain why its prior finding was erroneous.

The second EOP OPSA cites in its Disqualification Decision is V.C.'s 2024 EOP. But V.C.'s petition does not allege that Applicant engaged in *any* violent behavior. Furthermore, when drafting his Decision, it appears that Investigator Halko did not know that the EOP had been vacated only a month after it was filed, that Judge Aimen held that Applicant did not pose a threat to the V.C. or their son, and that the Judge allowed Applicant to resume unrestricted co-parenting.

Only after Applicant filed a lengthy, detailed Appeal documenting the dismissal/vacatur of both EOPs did OPSA add allegations to its Response. OPSA added that V.C. alleged

Applicant had been “physically abusive numerous times,” that in 2017, he “dragged her down a flight of stairs by her ankle leading to the demise of both twin fetuses,” that Applicant surreptitiously installed a location tracking application on her phone, that a former friend had provided illegal drugs to him in the past, and that he had been under the influence of alcohol when involved in a truck accident years earlier.

These new allegations were contained in emails V.C. wrote to Investigator Halko on January 27, 2025, the day before OPSA issued their initial Disqualification Decision, and were included in the attached materials OPSA sent to Applicant with its decision. Yet, Investigator Halko did not include these allegations in the Disqualification Decision itself. Instead, OPSA added them in its Response, claiming, “the reason they were not included in the original disqualification was because the Department investigator respected the victim’s right to remain anonymous out of fear for her own safety, and for the sake of the child they currently have together.”

Neither V.C.’s emails, nor any notations in Investigator Halko’s file, indicate that she wished these allegations to remain confidential. In fact, V.C. initiated the 2024 EOP and voluntarily provided live sworn testimony at the EOP hearing. She testified about two occurrences in 2015 and 2021 when she was fearful of Applicant, but never testified about the 2017 incident, drug use, or the tracking app. Furthermore, during her 2023 interview with Investigator Chillari, she described Applicant as “compassionate,” and told him that Applicant had never abused her or committed acts of domestic violence. Given V.C.’s inconsistent and unsupported allegations, especially in light of her ongoing attempts to move their son out of state, it is difficult to understand why OPSA afforded her allegations weight.

OPSA’s Response further attempts to lend credence to its Disqualification Decision by arguing that it is a fact that “multiple” women filed Orders of Protection against Applicant and

“seem to be afraid of him.” Applicant is correct that the word “multiple” is an exaggeration and misleading. Two women filed *ex parte* EOPs against Applicant. Neither alleged that Applicant threatened them with physical harm. Both EOPs were terminated after hearings in which petitioners provided sworn testimony – meaning that two separate judges held that any fear the petitioners had of him did not rise to a level requiring court ordered interference.

OPSA correctly argues that an applicant may be disqualified from consideration for a police officer position if there is evidence that an applicant has engaged in criminal conduct, even if the applicant was never convicted of a criminal offense. However, OPSA inappropriately speculates that Applicant was never arrested or convicted of domestic violence offenses because many domestic violence victims are reluctant to move forward with legal action -- especially when the abuser directly confronts them, and/or they have a child in common. While this is true for many domestic violence victims, neither E.P. nor V.C. was reluctant to move forward against Applicant. Both initiated legal action against him and provided live sworn testimony in their cases. OPSA is wrong to imply, without any factual basis, that Applicant somehow escaped arrests and convictions for unreported offenses..

There is no reliable evidence in the record that Applicant engaged in conduct indicating violent tendencies. Applicant met his burden of showing, by a preponderance of the evidence, that the decision to remove him from the Eligibility List pursuant to Basis #1 was erroneous.

Basis #2: Disqualification Based on Prior Employment History:

In its Disqualification Decision, OPSA contends that had Applicant been in CPD’s employ at the time he was named as a Respondent in each of the two EOPs, his conduct would have been in violation of CPD’s Rules and Regulations Rules 1, 8, and 9. In its Response, OPSA argues that the same two EOPs prove Applicant “would have been in violation of multiple Rule

violations and at least one felony.” OPSA does not specify what “felony” he committed. For the same reasons set forth above as to Basis #1, OPSA’s reliance on the vacated and dismissed EOPs is misplaced.

OPSA additionally alleges in its Response, that when each EOP was filed, Applicant’s FOID card was automatically suspended, and since FOID card possession is a mandatory requirement for all Chicago Police Officers, Applicant would have been “automatically terminated” had he been working for CPD. This is simply not true.

While the revocation of a Department member’s FOID card would automatically render an officer unable to perform his duties, and would place the member in a no pay status, FOID card suspension does *not* result in automatic termination from CPD. All Department members are afforded due process and the Department must proceed accordingly. Members are often suspended without pay but may return to paid status if FOID privileges are later restored.

Applicant met his burden of showing, by a preponderance of the evidence, that the decision to remove Applicant from the Eligibility List pursuant to Basis #2 was erroneous.

Basis #3 Disqualification Based on Indebtedness:

Standard IV.G. states, in part, that an applicant who has defaulted on any loan or has an inconsistent payment pattern may be found unsuitable for employment.

OPSA attached Kentech Investigator Chillari’s 2023 Background Investigation Report to its present Disqualification Decision. The report shows that Investigator Chillari noted, “The candidate stated he filed for Chapter 7 in 2019 due to significant credit card debt and aims to rebuild his credit...he has currently maintained a good standing with all his creditors.” Chillari’s Report also shows Applicant’s \$7,425 Charge-off to Capital One. The report proves that in 2024, OPSA reviewed Applicant’s prior bankruptcy and Charge-off and did not consider them

disqualifying.

There have been no changes in Applicant's financial circumstances since then. Now, without citing additional facts or confessing error in their prior decision, OPSA finds the bankruptcy and Charge-off disqualifying. OPSA's change of heart therefore appears arbitrary and punitive.

Applicant met his burden of showing, by a preponderance of the evidence, that the decision to remove Applicant from the Eligibility List pursuant to Basis #3 was erroneous.

Basis #4: Disqualification Based on False Statements or Omissions and/or Failure to Cooperate in the Application Process:

In his Candidate Background Investigation Summary, echoed in OPSA's Disqualification Decision, Investigator Halko does not set forth any alleged false statements made by Applicant, nor does Halko specify any omissions or instances in which Applicant failed to cooperate in the application process. Instead, Halko simply suggests that the facts that Applicant is currently a Respondent in a pending Cook County parental responsibilities case, and that an Order of Protection was filed against Applicant in that case, somehow evidence dishonesty violative of Standard IV.I.(1). They do not. His involvement in those court matters have nothing to do with the honesty, credibility, and timely disclosure requirements mandated by the Standard.

In its Response, OPSA again tries to buttress Applicant's Standard IV.I.(1) disqualification decision with new allegations – and again, OPSA falls short.

First, OPSA alleges that Applicant's claim that he resigned for personal reasons is "patently disingenuous... another example of his manipulative behavior... and is grounds for disqualification." OPSA speculates that in reality, Applicant resigned because he knew he would be terminated "because his FOID card was suspended or revoked," and "he had an Order of Protection which was cause for automatic termination."

OPSA provides no evidence whatsoever that Applicant knew V.C. filed her *ex-parte* EOP the previous day. Applicant's claim that he resigned "for personal reasons," in order to fully devote his time to defending his co-parenting rights, is supported by the fact that on the day he resigned, he filed his Counter-Petition to Seek Allocation of Parental Responsibilities and a Defined Parenting Schedule (Exhibit FF). To speculate, without any supporting evidence, that Applicant resigned in lieu of termination is patently improper. OPSA's contention that he resigned because his FOID card was revoked, and because the new EOP "was cause for automatic termination," is misleading and inaccurate. As stated above pertaining to Basis #1, Applicant's FOID suspension would *not* automatically result in termination, nor would being named as a Respondent in an EOP.

Second, OPSA's Response alleges that Applicant failed to cooperate with Investigator Halko by failing to provide the investigator with "more information, including the finalized child custody case" and "other miscellaneous items." OPSA's claim is not supported by the record. Applicant could not turn over the "finalized" child custody case because that case had not been "finalized" -- It is still pending. In addition, OPSA never specifies which "other miscellaneous information" Applicant failed to provide. The record shows he provided numerous documents to the investigators during both pre-employment investigations.

Third, OPSA's Response alleges that Applicant "falsely claimed there was no change in his circumstances, which is untrue based on some of the evidence that he, himself, submitted." OPSA's allegation makes little sense. At the time Applicant reapplied to CPD, V.C.'s EOP had been "vacated" by Judge Aimen. It no longer existed. It stands to reason that Applicant believed there had been no change in his circumstances since he last applied only months earlier.

Applicant met his burden of showing, by a preponderance of the evidence, that the

decision to remove Applicant from the Eligibility List pursuant to Basis #4 was erroneous.

Conclusion

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 Applicant shall have the burden of showing, by a preponderance of the evidence, that the decision to remove him from the Eligibility List was erroneous. Applicant met this burden.

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 **REVERSED**.

Respectfully submitted,

/s/ LAUREN A. FREEMAN
Appeals Officer

Date: August 12, 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 8 in favor (Kyle Cooper, Claudia Badillo, Steven Block, Tyler Hall, Kathryn Liss, Arlette Porter, Andreas Safakas, 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 reversed and he is **reinstated to the Eligibility List**.

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 21st DAY OF AUGUST 2025.

Attested by:

/s/ KYLE COOPER
President

/s/ MAX A. CAPRONI
Executive Director