

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER REBECCA THUESTAD,) **No. 21 PB 2983**
STAR No. 12804, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT.) **(CR No. 1078367)**

FINDINGS AND DECISION

On January 4, 2021, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Rebecca Thuestad, Star No. 12804 (“Respondent”), recommending that Respondent be discharged from the Chicago Police Department (“CPD”) for violating CPD’s Rules of Conduct.

A hearing on the charges against Respondent took place before Hearing Officer Allison Wood on February 23 – 25 and 28, 2022. Following this evidentiary hearing, the members of the Police Board read and reviewed the record of the proceedings, including the Hearing Officer’s Report and Respondent’s response to the report (the Superintendent did not file a response to the report), and viewed the video recording of the entire evidentiary hearing. Hearing Officer Wood made an oral report to and conferred with the Board before it rendered its findings and decision.

POLICE BOARD FINDINGS

As a result of its hearing on the charges, the Police Board finds and determines that:

1. Respondent was at all times mentioned herein employed as a police officer by the Department of Police of the City of Chicago.
2. A copy of the charges filed, and a notice stating the date, place, and time the initial status hearing would be held, were personally served upon Respondent not fewer than five (5)

days before the date of the initial status hearing for this case.

3. Throughout the hearing on the charges Respondent appeared and was represented by legal counsel.

Introduction

4. Respondent has been a Chicago Police Officer since 2009. In December 2015, Respondent was serving on a tactical team in the 10th Police District. On December 8, 2015, Respondent worked the afternoon shift with her partner, Officer Juan Belmontes, at which time they were conducting patrol from a police vehicle. Sometime after 4:30 p.m., Respondent and Officer Belmontes made a vehicle stop around 4410 West Cermak. According to Respondent, the vehicle was stopped for making a turn without signaling and for not having a City of Chicago sticker. After Respondent and Officer Belmontes stopped the vehicle, they determined from their police vehicle's portable data terminal ("PDT") that the driver, Quinton Pipkins, had a suspended license. Mr. Pipkins was handcuffed, placed in the police vehicle, and transported to the 10th District Police Station. On the way to the station, Mr. Pipkins said he could turn in a gun. Once at the 10th District Station, Mr. Pipkins was taken to a processing room. Mr. Pipkins made a few calls while in the processing room (whether Respondent witnessed or knew of the content of some of these calls is disputed). At one point, Mr. Pipkins told Respondent and Officer Belmontes that a gun had been left in the alley at or around 4255 West Cullerton (the home of Mr. Pipkins's grandmother). At that point, the officers left the police station to retrieve the gun, leaving Mr. Pipkins at the station.

While in the alley at or around 4255 West Cullerton, a man (later identified as Larry Rogers, a member of Mr. Pipkins's family) approached the officers, but the substance of that interaction is disputed. Respondent and Officer Belmontes recovered the gun near the stated

location and returned to the 10th District Station. Shortly thereafter, Mr. Pipkins was released without being charged.

That night, Respondent completed an Original Case Incident Report regarding the incident. Respondent wrote that “while on a traffic stop,” Pipkins told Respondent and Officer Belmontes that “he observed an unknown male black place” what appeared to Pipkins to be a handgun near the Pink Line tracks. The Superintendent alleges that these statements were false, and Respondent knew that they were false when drafting her report (Specification No. 1). The Superintendent further alleges Respondent failed to document Mr. Pipkins’s detention and/or arrest on any official Chicago Police Department report and failed to notify a superior prior to releasing Mr. Pipkins without charges (Specification No. 4). Respondent does not dispute she did not prepare an arrest report, issue Pipkins a ticket, log Mr. Pipkins’s name on the prisoner log, or inform a superior she was not charging Mr. Pipkins, but disagrees with the Superintendent that any of these actions constitute Rule violations.

Respondent and Officer Belmontes were stripped of their police powers in December 2015 following an investigation into the incident. During interviews with the Bureau of Internal Affairs (“BIA”) on July 19, 2017, and November 28, 2018, Respondent stated she was not aware that Mr. Pipkins made a telephone call on December 8, 2015, to arrange for a handgun to be left in the alley at or around 4255 W. Cullerton, and/or denied that Mr. Pipkins spoke to anyone on the phone about a gun in her presence. The Superintendent alleges these statements to BIA were false and/or misleading (Specification No. 5).

Charges Against the Respondent

5. Police Officer Rebecca Thuestad, Star No. 12804, is **guilty** of violating Rules 2, 3, 6,

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and 14 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 1:

On or about December 8, 2015, Police Officer Thuestad, after having detained and/or arrested Quinton Pipkins, knowingly filled out and/or submitted an Original Case Incident Report (HY529812) containing one or more false statements, including but not limited to that “while on a traffic stop” Quinton Pipkins told Officer Thuestad and her partner, Officer Juan Belmontes, that “he observed an unknown male black place” what appeared to Pipkins to be a handgun near the Pink Line tracks, or wrote statements to that effect. Officer Thuestad thereby violated:

- a. Rule 2, which prohibits any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department;
- b. Rule 3, which prohibits any failure to promote the Department’s efforts to implement its policy or accomplish its goals;
- c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying General Order G04-01, General Order G09-01-02, and/or the Field Reporting Manual; and
- d. Rule 14, which prohibits making a false report, written or oral.

It is undisputed that after the traffic stop, Mr. Pipkins was placed in Respondent’s police vehicle and transported to the police station. The Board finds the evidence credible that during the transport, Mr. Pipkins volunteered he could get a gun and that after he was placed in the processing room of the police station, he made phone calls to a family member, Larry Rogers. Mr. Rogers credibly testified that after speaking with Mr. Pipkins, he placed a gun he owned at a designated location. It is undisputed that Mr. Pipkins told Respondent and Officer Belmontes where the gun could be found, and that Respondent and Officer Belmontes left the police station to go to the designated location to retrieve it. It is also undisputed that Mr. Pipkins was detained for nearly an hour at the police station and that he was released when Respondent and Officer Belmontes returned to the police station with the gun. In the Original Case Incident Report, that Respondent agreed was prepared by her, she wrote the

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following narrative:

History: Event #1534212395. In summary R/Os while on traffic stop with the above subject. During this conversation, the above subject related to R/Os he observed an unknown male black male, what he believed to be a handgun near the pink line tracks at the above location. R/Os relocate to the area for further investigation and located one unloaded kelte p40, 40cal, semi automatic hand gun bearing serial number H 95334, with black finish and three inch barrel. R/Os recovered said weapon and made it safe. Gun desk notified @ 1934 hrs Harro#18947. Weapon inventoried under #13588238.

The Board finds that the narrative provided by Respondent in the Original Case Incident Report does not accurately reflect the events that occurred, and that it contains materially false statements and omissions. There is no evidence that Mr. Pipkins and Respondent had a “conversation” during the traffic stop about a gun beyond Mr. Pipkins’s statement that he could get one. Given the fact that Mr. Pipkins was at the police station in the processing room when he made arrangements to have a gun placed in a designated location by a family member, it is more likely than not that the statements Respondent attributed to Mr. Pipkins, that he observed an unknown black male place a gun in a designated location, were not made by Mr. Pipkins during the traffic stop and/or they were false. Respondent’s narrative gives the false impression that there was one continuous uninterrupted event whereby after making the traffic stop, Respondent and Officer Belmontes went to the designated location and retrieved a gun. Respondent intentionally omits from the narrative that Mr. Pipkins was detained at the police station or that he made calls while in the processing room to arrange for a gun. Respondent’s false statements and omissions demonstrate that she intended to conceal all the circumstances of Mr. Pipkins detention.

Respondent’s efforts to explain that her statement was not false were not credible. One statement in question is the Respondent’s use of the term “traffic stop” to try to justify the

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truthfulness of the report in question. She testified that when she wrote the words, “while on a traffic stop,” she used it as a descriptor to capture everything that occurred from the time Mr. Pipkins was placed in the vehicle until the time he was released from the police station.

Respondent did not point to or cite any authority for her interpretation of a traffic stop. Special Order S-04-14-09 Illinois Traffic Stop Statistical Study Section III.B. (5) states that a traffic stop ends when the driver is free to leave or taken into physical custody. The traffic stop made by Respondent ended when Mr. Pipkins was handcuffed, placed in the police vehicle, and taken to the police station where he was not free to leave. The evidence presented shows that all the “conversations” about the gun and the arrangements to place the gun at a designated location where it could be retrieved by Respondent, occurred after the traffic stop, while Mr. Pipkins was in the police station such that we find that Respondent’s descriptor was intentionally false. The Board finds Respondent guilty of the charges in Specification 1.

6. Police Officer Rebecca Thuestad, Star No. 12804, is **guilty** of violating Rules 2, 3, 6, and 10 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 2:

On or about December 8, 2015, Police Officer Thuestad failed to arrest and/or issue a traffic citation to Quinton Pipkins after observing him driving and/or learning that he had been driving on a suspended Illinois driver’s license in the vicinity of 4410 West Cermak Road, Chicago, in violation of the Illinois Vehicle Code. Officer Thuestad thereby violated:

- a. Rule 2, which prohibits any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department;
- b. Rule 3, which prohibits any failure to promote the Department’s efforts to implement its policy or accomplish its goals;
- c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying Special Order S04-14-03 and Special Order S04-14-05; and

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d. Rule 10, which prohibits inattention to duty.

See the findings set forth in Section Nos. 4 and 5 above, which are incorporated herein by reference. Respondent admitted that even though she was aware that Mr. Pipkins was driving on a suspended license, she used her discretion and decided during the traffic stop that she was going to release Mr. Pipkins without giving him a citation or arresting him because he had kids and he had Christmas gifts for them in his car. She also testified that she did not want Mr. Pipkins to face the financial expense of having to retrieve his car if it was to be impounded and/or if he had to make a court appearance.

While Respondent had the discretion either to arrest Mr. Pipkins for driving on a suspended license and requesting a court date for him as directed by Special Order S04-14-03 “Mandatory Court Appearance,” or to issue him a citation for the traffic violation as directed by Special Order S04-14-05 “Traffic Violations, Name Checks, and Bonds,” Respondent did not have the discretion to release Mr. Pipkins without either an arrest or a citation without speaking with Sergeant Martinez and explaining to him the reasons why she believed Mr. Pipkins should have been released, as required by Special Order S06-01-01 “Releasing Arrestees Without Charging and Waiving Fingerprint Results.”

Respondent’s testimony that she released Mr. Pipkins out of concern for his family and/or his financial well-being was not credible. We believe Respondent released Mr. Pipkins without charging him or giving him a citation because he successfully made arrangements for Respondent to retrieve a gun. Mr. Rogers credibly testified that he was at the designated location where he had placed his gun for Respondent and Officer Belmontes to retrieve it. He testified that he asked Respondent how long it would be for Mr. Pipkins’ release and Respondent told him

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it would be about 30 minutes. Mr. Rogers further testified that he went to Mr. Pipkins's grandmother's house, which was near the location where he had placed the gun, and waited for Mr. Pipkins to come there. Mr. Pipkins arrived at his grandmother's house about 40 or 45 minutes after Respondent and Officer Belmontes left the area. Mr. Rogers also testified that when he went to the grandmother's house, Mr. Pipkins car was not there, but when Mr. Pipkins arrived, he saw Mr. Pipkins' truck parked near the grandmother's house. The Board finds Respondent guilty of the charges in Specification No. 2.

7. Police Officer Rebecca Thuestad, Star No. 12804, is **not guilty** of violating Rules 2 and 3 in that the Superintendent did not prove by a preponderance of the evidence the following charges set forth in Specification No. 3:

On or about December 8, 2015, Police Officer Thuestad stated and/or threatened that she would arrest Quinton Pipkins and/or impound his vehicle if he did not provide a handgun she could recover, or made statements to that effect. As a result, Quinton Pipkins called Larry Rogers and arranged for him to leave a handgun in the vicinity of the alley at or near 4255 West Cullerton Street, Chicago, for Officer Thuestad. Officer Thuestad thereby violated:

- a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department; and
- b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals.

See the findings set forth in Section Nos. 4-6 above, which are incorporated herein by reference. We find the Superintendent did not present any evidence that Respondent stated and/or threatened Mr. Pipkins that she would arrest and/or impound his vehicle if he did not provide a handgun she could recover. The Board finds Respondent not guilty of the charges in Specification No. 3.

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8. Police Officer Rebecca Thuestad, Star No. 12804, is **guilty** of violating Rules 2, 3, 6, and 10 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 4:

On or about December 8, 2015, Police Officer Thuestad detained and/or arrested Quinton Pipkins for driving on a suspended Illinois driver's license and transported him to the police station where he was held inside of the Prisoner Processing Area and later released without charging. Officer Thuestad failed to document Quinton Pipkins's detention and/or arrest on any official Chicago Police Department report, and/or failed to notify her supervisor, a superior, and/or Watch Commander prior to releasing him without charges. Officer Thuestad thereby violated:

- a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department;
- b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;
- c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying General Order G06-01-01, Special Order S06-01-01 and/or Special Order S04-13-09; and
- d. Rule 10, which prohibits inattention to duty.

See the findings set forth in Section Nos. 5 - 7 above, which are incorporated here by reference. As stated herein, Respondent admitted that she did not notify her supervisor that Mr. Pipkins was being detained at the police station or that she was releasing Mr. Pipkins without an arrest or a citation. Respondent also admitted that she did not fill out a police report. Respondent's attempt to argue that her completion of a "Blue Card" with information about the arrest and detention of Mr. Pipkin was a substitute for filling out a police report was not credible or persuasive. Lieutenant Sean Rice, who testified as to the application of the general and special orders presented in this case, credibly testified that the "Blue Card" is not a substitute for an official Chicago Police Department report and that it is primarily used to collect statistical data on traffic stops to determine whether there is any bias in traffic stops, which is set forth in

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Special Order S04-13-09 “Illinois Traffic Stop Statistical Study.” The Board finds Respondent guilty of the charges in Specification No. 4.

9. Police Officer Rebecca Thuestad, Star No. 12804, is **guilty** of violating Rules 2, 3, and 14 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 5:

On or about July 19, 2017, and/or November 28, 2018, Police Officer Thuestad provided a false and/or misleading statement to the Bureau of Internal Affairs (“BIA”) when she denied being aware that Quinton Pipkins made a telephone call on December 8, 2015, to arrange for a handgun to be left in the alley at or around 4255 West Cullerton Street, and/or denied that Pipkins spoke to anyone on the phone about a gun in her presence, or made statements to that effect. Officer Thuestad thereby violated:

- a. Rule 2, which prohibits any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department;
- b. Rule 3, which prohibits any failure to promote the Department’s efforts to implement its policy or accomplish its goals; and
- c. Rule 14, which prohibits making a false report, written or oral.

See the findings set forth in Section Nos. 4-8 above, which are incorporated here by reference. Respondent testified during her statement to BIA that she was coming in and out of the processing room where Mr. Pipkins was being held and that she was not present for or aware of any phone calls made by him to arrange for the placement of a gun. Respondent claimed that she was only present for or aware of a call made by Mr. Pipkins where he was asking for a ride home since he could not drive his car on a suspended license. Respondent’s testimony is not credible. Her statements to BIA were materially false and she knew they were false. They were made to further cover-up the fact that Mr. Pipkins was making arrangements for a gun to place at a designated location where she could retrieve it. Respondent was fully aware that Mr. Pipkins

was making these calls in part because Officer Belmontes told her that Mr. Pipkins was making calls to arrange for a gun and in part because she spoke to Mr. Pipkins about his need to make calls to arrange for the placement of a gun. The Board finds Respondent guilty of the charges in Specification No. 4.

Disciplinary Action

10. The Board has considered the facts and circumstances of the conduct of which it has found Respondent guilty and the evidence presented in mitigation, including Respondent's complimentary and disciplinary histories.

The Board has considered thoroughly the evidence the Respondent offered in mitigation, including seven letters of support and the laudatory testimony of Cecil Smith, current chief of police for Sanford, Florida, and 25-year veteran of the Elgin Police Department, Donna Dowd, former commanding officer of CPD's Alternate Response Section, and Nicolas Garcia, a CPD detective and former partner of Respondent. In addition, Respondent, who joined the CPD in 2009, has a complimentary history of 89 total awards, including three Department commendations, 70 honorable mentions, six emblems of recognition for physical fitness, and one attendance recognition award; she has no sustained complaints on her disciplinary history.

Nevertheless, Respondent's accomplishments as a police officer, the witnesses' and letter writers' evaluations of her work and character, and the lack of prior disciplinary history do not outweigh the seriousness of the misconduct in this case. The Board finds that Respondent's misconduct is incompatible with continued service as a police officer and warrants her discharge from the Chicago Police Department.

Respondent abused her authority as a police officer and knowingly and intentionally falsified an official police report as part of a scheme to recover a gun under false pretenses. Such

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conduct by Respondent is antithetical to that expected and required of a police officer, who at all times has a duty to act with honesty and integrity, not falsify a report and give a false impression as to the circumstances leading to a gun recovery. Respondent also attempted to cover up her misconduct by making an intentional materially false statement during her interview with the Bureau of Internal Affairs.

Respondent's actions and dishonesty relate directly to her public duties as a police officer and render her unfit to hold that office. Her treatment of Mr. Pipkins brought discredit upon the Chicago Police Department, thereby undermining public confidence in the judgment of its officers and the Department's mission. Effective law enforcement depends upon a high degree of cooperation between the police department and the public it serves. Conduct such as Respondent's erodes the public's trust of and confidence in police officers, thereby impeding the Department's efforts to achieve the important goal of reducing crime. In addition, trustworthiness, reliability, good judgment, and integrity are all material qualifications for any job, particularly one as a police officer. The duties of a police officer include making arrests and testifying in court, and a police officer's credibility is at issue in both the prosecution of crimes and in the Police Department's defense of civil lawsuits. A public finding that a police officer falsified an official report and knowingly made a false official statement to BIA is detrimental to the officer's credibility as a witness and, as such, is a serious liability to the Department. *See Rodriguez v. Weis*, 408 Ill.App.3d 663, 671 (1st Dist. 2011).

The Board finds that Respondent's conduct is sufficiently serious to constitute a substantial shortcoming that renders her continuance in her office detrimental to the discipline and efficiency of the service of the Chicago Police Department and is something that the law recognizes as good cause for her to no longer occupy her office.

POLICE BOARD DECISION

The members of the Police Board of the City of Chicago hereby certify that they have read and reviewed the record of the proceedings, viewed the video-recording of the entire evidentiary hearing, received the oral report of the Hearing Officer, and conferred with the Hearing Officer on the credibility of the witnesses and the evidence. The Police Board hereby adopts the findings set forth herein by the following votes.

By votes of 7 in favor (Ghian Foreman, Paula Wolff, Mareilé B. Cusack, Michael Eaddy, Steve Flores, Jorge Montes, and Andrea L. Zopp) to 0 opposed, the Board finds Respondent **guilty** of the charges in Specification Nos. 1, 2, 4, and 5, and **not guilty** of the charges in Specification No. 3, as set forth in Section Nos. 5 – 9 above.

As a result of the foregoing and for the reasons set forth in Section No. 10 above, the Board, by a vote of 7 in favor (Foreman, Wolff, Cusack, Eaddy, Flores, Montes, and Zopp) to 0 opposed, hereby determines that cause exists for discharging Respondent from her position as a police officer with the Department of Police and from the services of the City of Chicago.

NOW THEREFORE, IT IS HEREBY ORDERED that Police Officer Rebecca Thuestad, Star No. 12804, as a result of having been found **guilty** of charges in Police Board Case No. 21 PB 2983, be and hereby is **discharged** from her position as a police officer with the Department of Police and from the services of the City of Chicago.

This disciplinary action is adopted and entered by a majority of the members of the Police Board: Ghian Foreman, Paula Wolff, Mareilé B. Cusack, Michael Eaddy, Steve Flores, Jorge Montes, and Andrea L. Zopp.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 26th DAY OF MAY, 2022.

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Attested by:

/s/ GHIAN FOREMAN
President

/s/ MAX A. CAPRONI
Executive Director

DISSENT

The following members of Board hereby dissent from the findings and decision of the majority of the Board.

[None]

RECEIVED A COPY OF

THESE FINDINGS AND DECISION

THIS ____ DAY OF _____, 2022.

DAVID O. BROWN
Superintendent of Police