

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER ROBERT L. DAVIS,) **No. 22 PB 3011**
STAR No. 18378, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT.) **(OIG No. 19-1128)**

FINDINGS AND DECISION

On December 6, 2022, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Robert L. Davis, Star No. 18378 (“Respondent”), recommending that Respondent be discharged from the Chicago Police Department (“Department” or “CPD”) for violating CPD’s Rules of Conduct.

A hearing on the charges against Respondent took place before Hearing Officer Lauren Freeman on June 23, 2023. Following this evidentiary hearing, the members of the Police Board read and reviewed the record of the proceedings, including the Hearing Officer’s Report (neither party filed a response to this report), and viewed the video recording of the entire evidentiary hearing. The Hearing Officer made an oral report to and conferred with the Board before it rendered its findings and decision.

During the proceedings of this case, from the filing of charges through the evidentiary hearing, the Hearing Officer made rulings and entered orders. None of the Hearing Officer’s rulings and orders is overruled or reversed.

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 CPD police officer by 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.

FOP Motion

4. On August 11, 2023, the Fraternal Order of Police Lodge 7 filed with the Police Board a Motion to Transfer Pending Cases to the Arbitration Call or in the Alternative to Stay All Police Board Cases (“FOP Motion”). This case against Respondent is one of the 22 cases listed on the FOP Motion. On September 26, 2023, the Police Board entered an Order denying the FOP Motion in its entirety. Even assuming, for argument’s sake, that the arbitrator’s awards that gave rise to the FOP Motion take effect at some date in the future, the arbitrator’s awards are not applicable to Respondent, for his evidentiary hearing commenced and concluded prior to June 26, 2023, the date on which the arbitrator issued his Interim Opinion and Award.

Introduction

5. Respondent is 48 years old and began working for CPD in January of 2003. On the night of February 3, 2019, after attending a party, Respondent and his wife, [F.D.], returned home to their second-floor apartment of a two-flat on South Kenneth Avenue in Chicago. Their 21-year-old son, [L.B.], and their seven-year-old son were also present in the apartment. Respondent and [F.D.] began to argue loudly, and his sister-in-law, [K.T.], who lived in the

apartment below, came upstairs. The argument escalated into a physical confrontation involving Respondent, [F.D.], and [K.T.], during which [F.D.] sustained a small cut to her lip and [K.T.] suffered severe pain to her shoulder. Someone, perhaps [K.T.], called 911. Officers from the 11th police district, including Sergeant Paul Young and Officer Joshua Haislet, responded to the scene. Respondent was subsequently arrested and charged with domestic battery and aggravated assault. While at the police station, Respondent filed a Tactical Response Report (“TRR”) in which he stated that [K.T.] approached him armed with a knife and he pushed her away to gain tactical distance. The criminal charges against Respondent were later dismissed.

The disciplinary charges filed with the Police Board charge Respondent with violating Department rules during the confrontation with his wife and sister-in-law, with attempting to use his official status as a Chicago police officer to receive preferential treatment from the officers who responded to the scene, and with creating and submitting a TRR containing false, incomplete, or deliberately misleading information about the incident.

Neither [F.D.] nor [K.T.] testified at the evidentiary hearing.

Charges Against the Respondent

6. Police Officer Robert L. Davis, Star No. 18378, is **not guilty** of violating Rules 1, 2, 3, 8, and 9 in that the Superintendent did not prove by a preponderance of the evidence the following charges set forth in Specification No. 1:

On or about February 3, 2019, at approximately 23:10 hours, at or near [xxx] South Kenneth Avenue in Chicago, Officer Davis knowingly and without legal justification caused bodily harm to his wife, [F.D.], and/or made physical contact of an insulting or provoking nature with her in that he struck and/or shoved and/or pushed her, which resulted in bleeding and/or other injury to her lip. Officer Davis thereby violated:

a. Rule 1, which prohibits violation of any law or ordinance, by violating 720 ILCS

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5.0/12-3.2(a) Domestic Battery;

- b. 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;
- c. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;
- d. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty; and
- e. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

See the findings set forth in Section No. 5 above, which are incorporated here by reference.

While the Board finds the domestic violence allegations against Respondent highly disturbing, the Board recognizes that they are still purely "allegations" – to pass legal muster for a finding of guilt, the Superintendent must prove each element of the charges by a preponderance of the evidence. The Superintendent failed to meet his burden on one of the key elements of these charges – lack of legal justification.

The only accounts presented at the hearing describing the physical confrontation came from Respondent and from [F.D.]'s son, [L.B.]. Both testified that [F.D.] and [K.T.] were the initial aggressors and that Respondent's actions were proportionate and justified. Without the testimony of the alleged victims, or the admission into evidence of their hearsay statements to the responding officers at the scene, the Superintendent presented no evidence to support the Superintendent's allegations that Respondent lacked justification for his actions.

Respondent testified about the confrontation with both [F.D.] and [K.T.] as follows:
When [K.T.] came upstairs, she immediately sprayed Respondent with an unknown aerosol spray which burned his eyes. He pushed [K.T.] away and he later found out that she hit the wall

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or fell and hurt her shoulder. He then locked himself in his bedroom and tried to clear his eyes. He still heard arguing and left his room to see what was happening. In the hallway, [K.T.] rushed him and he pushed her backward. [F.D.] then said, “Don’t push my sister,” and also rushed him. He extended his arm toward [F.D.]’s shoulder to push [F.D.] away, but his hand may have slipped upward and contacted her lip, causing it to bleed. [K.T.] then approached him holding a knife in each hand. She did not get close to Respondent because [L.B.] jumped in front of Respondent while telling [F.D.] and [K.T.], “You are not going to do this to Rob.” Respondent may have told [K.T.] that if she came over to stab him with the knives, he may have to shoot her. [K.T.] yelled, “I’m going to call the police – You going to lose your job. Watch.” [F.D.] and [K.T.] then both went downstairs while Respondent remained upstairs and tried to clear his eyes while waiting for the responding officers to arrive. Respondent testified that while he always wears his gun holstered at his side, he never removed it from his holster nor did he threaten [K.T.] or [F.D.] with it.

Respondent further testified that when [K.T.] brandished the knives, she was holding a folding knife and a kitchen knife. He acknowledged inconsistencies in his prior descriptions of the number and types of knives she brandished but consistently alleged she was armed with at least one knife, a narrative corroborated by [L.B.].

Respondent’s interviews with the responding officers at the scene were recorded on Sergeant Young’s body-worn camera (“BWC”). Pertaining to the confrontation with [F.D.] and [K.T.], Respondent stated that he pushed both women off him that night to gain distance. He and his wife had been arguing and the next thing he knew, [K.T.] was upstairs and pushed him. He told her to get out of his face and pushed her back to gain three feet of tactical distance from her. [K.T.] was armed with what looked like a black 3½ inch pocket knife she retrieved from her

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sweater pocket and he told [K.T.] she could “stick him all she wanted, but that would not be the last funeral today.” In additional footage, Respondent is speaking on his cell phone to someone and tells the person on the line, “her sister tried to pull a knife and I told her if you pull a knife, I’m gonna let you stab me, and if you stab me, I’m gonna shoot you.”

[F.D.]’s son, [L.B.], substantially corroborated Respondent’s testimony. [L.B.] testified that after [K.T.] sprayed Respondent with the unknown substance and while Respondent was locked in Respondent’s room, [F.D.] and [K.T.], both irate, went into the living room and tried to destroy some of Respondent’s belongings. [L.B.] intervened and implored them to calm down. Respondent then exited his bedroom and [K.T.] charged at Respondent. Respondent pushed [K.T.] back to keep her from attacking him and then [F.D.] got angry and also charged at Respondent. Respondent pushed her back as well and may have caught her mouth when he pushed her but was not trying to hurt her. [K.T.] then drew two knives and [F.D.] picked up a lamp. [L.B.] jumped in the middle of the group and told [K.T.] and [F.D.] that they were not going to do that to Respondent. [K.T.] and [F.D.] then went downstairs and he followed. [L.B.] testified that Respondent was not the aggressor during the confrontation, did not pull his gun, and used only the amount of force necessary to stop the attack.

There was no testimony or evidence presented at the hearing to refute Respondent’s and [L.B.]’s narrative. The Superintendent did not present any testimony or evidence to establish that Respondent acted without legal justification. The Board’s certainty that [F.D.] and [K.T.] both sustained bodily harm, and that [K.T.] may have called the police, does not change that. Even if the Board finds that both Respondent’s and [L.B.]’s testimony lacked credibility, in fact even if the Board finds that [K.T.] wasn’t armed with a knife at all, the evidentiary vacuum surrounding what truly occurred during the scuffle would remain legally insurmountable for the Board to find

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Respondent was not legally justified when shoving his wife and sister-in-law. There was no evidence of the alternate version contained in the allegations to consider.

The charges of domestic violence brought against Respondent are extremely serious. However, the Board is legally required to base its findings on the evidence presented by the Superintendent. The Superintendent has failed to sustain his burden of proof as to the charges in Specification No. 1.

7. Police Officer Robert L. Davis, Star No. 18378, is **not guilty** of violating Rules 1, 2, 3, 8, 9, and 38 in that the Superintendent did not prove by a preponderance of the evidence the following charges set forth in Specification No. 2:

On or about February 3, 2019, at approximately 23:10 hours, at or near [xxx] South Kenneth Avenue in Chicago, Officer Davis knowingly and without lawful authority placed his sister-in-law, [K.T.], in reasonable apprehension of receiving bodily harm when Officer Davis pointed a firearm at [K.T.] and/or threatened to kill her, or used words to that effect. Also, Officer Davis knowingly and without legal justification caused bodily harm to [K.T.], and/or made physical contact of an insulting or provoking nature with her in that he struck and/or shoved and/or pushed [K.T.], which resulted in injury or pain to her shoulder. Officer Davis thereby violated:

- a. Rule 1, which prohibits violation of any law or ordinance, by violating 720 ILCS 5.0/12-1(a) Assault, 720 ILCS 5.0/12-2(c)(1) Aggravated Assault, and/or 720 ILCS 5.0/12-3.2(a) Domestic Battery;
- b. 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;
- c. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;
- d. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty;
- e. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty; and

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f. Rule 38, which prohibits unlawful or unnecessary use or display of a weapon.

See the findings set forth in Section Nos. 5 and 6 above, which are incorporated here by reference.

For the same reasons espoused above in Section No. 6, the Board finds that the Superintendent failed to prove by a preponderance of the evidence that Respondent was not legally justified when he shoved [K.T.]. In addition, the Superintendent failed to establish that Respondent ever pointed his gun at [K.T.], that he was not “lawfully authorized” to threaten to shoot her if she stabbed him, or that he ever placed her “in reasonable apprehension of receiving bodily harm.”

As noted in the section above, Respondent testified that during the confrontation, he never took the gun he was wearing out of its holster and never threatened [K.T.] with it. [L.B.] corroborated Respondent’s testimony by testifying that he never saw Respondent pull his gun. On Sergeant Young’s BWC footage, Respondent is heard telling someone on his cell phone that he told [K.T.] he would shoot her if she stabbed him. There was no further evidence presented pertaining to Respondent’s use of his gun during the confrontation – certainly none that he ever removed it from its holster. Without [K.T.]’s testimony, the Superintendent offered no evidence that [K.T.] was placed “in reasonable apprehension of receiving bodily harm.”

Again, the Board must base its findings on the evidence presented by the Superintendent. The Superintendent has failed to present sufficient evidence to sustain his burden of proof as to the charges in Specification No. 2.

8. Police Officer Robert L. Davis, Star No. 18378, is **guilty** of violating Rules 2, 3, and 4 in that the Superintendent proved by a preponderance of the evidence the following charges set

forth in Specification No. 3:

On or about February 3, 2019, at approximately 23:10 hours, at or near [xxx] South Kenneth Avenue in Chicago, Officer Davis attempted to use his official status as a Chicago police officer to receive preferential treatment from the responding officers when he did not immediately furnish his driver's license when asked, and instead stated, "that's kind of funny, your driver's license. OK, let's start over...your police ID. We gonna work with you." Officer Davis 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 4, which prohibits any conduct or action taken to use the official position for personal gain or influence.

See the findings set forth in Section Nos. 5 – 7 above, which are incorporated here by reference.

The Board finds that Sergeant Young's BWC footage leaves no question that Respondent unabashedly attempted to use his position as a Chicago police officer to get preferential treatment.

The footage shows that when Young responded to the scene, he activated his BWC and interviewed Respondent. Young enters the living room as Respondent is talking on his cell phone, presumably to his former supervisor, Lieutenant Dari. Respondent is casually and calmly reclining on a couch or sofa bed, his police badge prominently displayed on his hip with his service weapon. He is holding the phone so that Dari's portion of the conversation can be heard by those in the room. Dari asks Respondent who is in charge and Respondent replies, "Young." An officer asks Respondent whether the person on the phone is his sergeant and Respondent replies, "No." Dari can be heard telling Respondent to give him (Young) the phone. Respondent then hands his cell phone to Sergeant Young. An officer then asks for Respondent's driver's

license or ID and Respondent asks “which one” the officer wants. The officer responds that he wants Respondent’s driver’s license. Respondent then turns to Sergeant Young, laughs, pulls out his police ID, and says, “That’s kind of funny—driver’s license—okay, let’s start over, police ID—I’m gonna work with ya.” The officers tell him they need to make sure he lives there and they need his date of birth. Respondent then gives them his driver’s license and says, “I am the police.”

Sergeant Young testified at the hearing that he did not get the impression that Respondent was attempting to get preferential treatment and that if he had believed otherwise, he would have reported Respondent’s misconduct. The Board finds that Young’s own BWC footage tells a different story.

Respondent testified that when he offered his police ID instead of his license to the responding officers he was simply joking since everyone was nervous and tense and because they would need his police ID anyway to get his employee number. He claimed that by that time, he knew that a CR (complaint register) number would be generated because of the domestic dispute, that he would possibly get arrested, and he did not think he could stop that process. In light of Young’s BWC footage, the Board doesn’t buy it. Respondent was shamelessly angling for better treatment than the average citizen. Indeed, had Respondent not shown the officers his police ID, it is unlikely they would have allowed him to retain his service weapon.

The Board finds that the Superintendent has proved by a preponderance of the evidence that Respondent attempted to use his official status as a Chicago police officer to receive preferential treatment from the responding officers. By using his position for personal gain or influence, he brought discredit upon the Department and failed to promote the Department’s policies and goals, thereby violating Rules 2, 3, and 4.

9. Police Officer Robert L. Davis, Star No. 18378, is **not guilty** of violating Rules 2, 3, 4, and 14 in that the Superintendent did not prove by a preponderance of the evidence the following charges set forth in Specification No. 4:

On or about February 3, 2019, after being involved in a domestic battery/aggravated assault incident with [F.D.] and/or [K.T.], Officer Davis created and submitted or provided information that led to the creation and submission of a Tactical Response Report (“TRR”) that contained false and/or incomplete and/or deliberately misleading information. To wit, Officer Davis claimed “subject” [K.T.] “approached R/O [reporting officer] with a knife. R/O at this time pushed subject away to gain tactical distance” and/or that [K.T.] was armed with a “knife/cutting instrument.” Officer Davis 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 4, which prohibits any conduct or action taken to use the official position for personal gain or influence; and
- d. Rule 14, which prohibits making a false report, written or oral.

See the findings set forth in Section Nos. 5 – 8 above, which are incorporated here by reference.

As is the case with Specifications No. 1 and No. 2, the Board finds that the Superintendent failed to introduce any evidence that the information Respondent provided in his TRR “contained false and/or incomplete and/or deliberately misleading information.” Since Respondent did not prove this central contention of his Specification, the Board need not determine whether he violated the specified Department Rules.

The Superintendent established that following the incident, the responding officers took Respondent to the 11th District station for processing. Shortly after he was released, he

completed and submitted the TRR. The report, admitted into evidence, was approved as “legible and complete” by Sergeant Nichelle Fraction on February 4, 2019, at 4:43 am. It notes that Respondent was off duty during the incident, lists himself as the “involved member,” lists [K.T.] as the “subject,” states that Respondent was sprayed with an unknown substance, and specifies that the [K.T.] was armed with a knife/cutting instrument. The narrative portion of the report states, “The above subject spread R/O [reporting officer] with an unknown substance then approached R/O armed with a knife. R/O at this time pushed subject away to gain tactical distance.”

The Superintendent also presented some evidence through the testimony of Commander Eve Gushes that although Respondent’s TRR was approved by Sergeant Fraction, it may have been improper for Respondent to file a TRR pertaining to an off-duty incident for which he was criminally charged, and that he filed it to use his official position for personal gain or influence in violation of Rule 4. However, for the Board to consider that rule violation, the Superintendent was required to prove the facts contained in the Superintendent’s specification – that Respondent filed a false or misleading report. The Superintendent could not do so. Much like the first two Specifications of the charges, for the Board to find Respondent guilty of the rule violations alleged in Specification No. 4, the Superintendent needed to prove by a preponderance of the evidence that [K.T.] did not “approach [Respondent] with a knife,” causing Respondent to push her away to gain tactical distance. For the same reasons the Board explained pertaining to those prior specifications, the Superintendent failed to produce any evidence refuting Respondent’s claim.

The Superintendent has failed to present sufficient evidence to sustain his burden of proof as to 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 he presented in mitigation.

Respondent presented the testimony of Sergeant Delwin Gadlin in mitigation. Sergeant Gadlin testified that Respondent is a good police officer who mentors and leads by example, puts in long hours, and always offers support to others. Respondent also presented his CPD complimentary history as evidence in mitigation. Since his appointment in 2003, he has earned a total of 61 awards, including 3 Department Commendations, 2 Unit Meritorious Performance Awards, 29 Honorable Mentions, 14 Emblems of Recognition for Physical Fitness, and 5 Attendance Recognition Awards.

After considering thoroughly Respondent's evidence in mitigation, the Board finds that his accomplishments and the positive evaluations of him do not fully mitigate the seriousness of his misconduct.

The public has a right to expect that the law will be applied fairly to all persons, regardless of whether one is a police officer. Here, Respondent blatantly attempted to use his position as a Chicago police officer to receive preferential treatment from the responding officers. The Board finds that such conduct undermines public confidence in police officers and the CPD's mission. Effective law enforcement depends upon a high degree of cooperation between CPD and the public it serves. Conduct such as Respondent's erodes the public's trust of police officers, thereby impeding the Department's efforts to achieve the important goal of reducing crime.

Respondent's conduct is unacceptable and warrants severe disciplinary action. Taking

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into account all the evidence, including the evidence in mitigation, the Board finds that a suspension without pay of one hundred and eighty (180) days is appropriate discipline in this case.

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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 a vote of 5 in favor (Block, Carr-Favors, Cusack, Doorley, and Safakas) to 3 opposed (Foreman, Wolff, and Eaddy), the Board finds Respondent **not guilty** of the charges in Specification Nos. 1, 2, and 4, as set forth in Section Nos. 6, 7, and 9 above.

By a vote of 8 in favor (Foreman, Wolff, Block, Carr-Favors, Cusack, Doorley, Eaddy, and Safakas) to 0 opposed, the Board finds Respondent **guilty** of the charges in Specification No. 3, as set forth in Section No. 8 above.

As a result of the foregoing and for the reasons set forth in Section No. 10 above, the Board, by a vote of 6 in favor (Block, Carr-Favors, Cusack, Doorley, Eaddy, and Safakas) to 2 opposed (Foreman and Wolff), hereby determines that cause exists for suspending Respondent from his position as a police officer and from the services of the City of Chicago for a period of one hundred and eighty (180) days.

NOW THEREFORE, IT IS HEREBY ORDERED that Police Officer Robert L. Davis, Star No. 18378, as a result of having been found guilty of charges in Police Board Case No. 22 PB 3011, be and hereby is suspended without pay from his position as a police officer and from the services of the City of Chicago, for a period of one hundred and eighty (180) days, from December 14, 2022, (the date he was suspended upon the filing of charges) up to and including June 12, 2023.

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IT IS FURTHER ORDERED that Respondent be and hereby is restored to his position as a police officer and to the services of the City of Chicago, with all rights and benefits, effective June 13, 2023.

This disciplinary action is adopted and entered by a majority of the members of the Police Board: Steven Block, Aja Carr-Favors, Mareilé Cusack, Nanette Doorley, and Andreas Safakas.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 19th DAY OF OCTOBER, 2023.

Attested by:

/s/ STEVEN BLOCK
Board Member

/s/ MAREILÉ CUSACK
Board Member

/s/ MAX A. CAPRONI
Executive Director

DISSENT

We concur with the majority's findings that Respondent is guilty of the charges in Specification No. 3, but respectfully dissent from the majority's findings with respect to all other charges.

We find that—even in the absence of [F.D.]'s and [K.T.]'s testimony—the evidence presented by the Superintendent was sufficient to prove that Respondent physically maltreated them without legal justification, threatened to kill [K.T.] without justification, and then submitted a Tactical Response Report with false information in an attempt to cover up his misconduct.

First, Respondent acknowledged that both [F.D.] and [K.T.] sustained bodily harm at Respondent's own hand, yet Respondent sustained no harm at all. Second, Respondent's account of [K.T.]'s weaponry changed three times—while on his cell phone at the scene and in his TRR, he claimed [K.T.] brandished one knife, then told Office of Inspector General investigators that she had one folding and one kitchen knife, and then testified at the hearing she had two kitchen knives. These inconsistencies suggest to us that Respondent was not being truthful about whether [K.T.] was armed at all. Third, [L.B.] testified that he believed after the confrontation, [K.T.] went downstairs and called 911. We do not believe [K.T.] would have called 911 had she and her sister been the initial aggressors. In fact, they must have been extremely concerned about the Respondent's aggression to call 911, knowing that it would be his word against theirs to the Respondent's fellow police who would respond to the call. Fourth, Respondent was not required to file the TRR (in fact, he denied filing the report prior to his hearing testimony) and clearly filed the false report shortly after the incident to help himself beat the charges against him. Fifth, we find his obvious attempt to get preferential treatment from the responding officers evidenced knowledge of his own guilt in the domestic dispute which is at the heart of this case. Finally, we

conclude that neither Respondent nor [L.B.] testified credibly about the confrontation. We find that for these reasons, the Superintendent proved the charges against Respondent alleged in Specification Nos. 1, 2, and 4.

We find it concerning that in most of our recent cases which stem from charges of domestic violence incidents, the family member or members who bring the initial charges later do not wish to appear at the disciplinary hearings. For the accountability system to function effectively, victims of domestic violence should be protected and be supported in the process of participating in the disciplinary process.

President Foreman and Vice President Wolff further dissent from the majority's decision regarding discipline, and find that Respondent's misconduct warrants more severe disciplinary action.

GHIAN FOREMAN

PAULA WOLFF

MICHAEL EADDY

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THESE FINDINGS AND DECISION

THIS _____ DAY OF _____, 2023.

LARRY SNELLING
Superintendent of Police