



Monthly Police Board Meeting
City of Chicago
18 November 2021



CITY OF CHICAGO



CHICAGO POLICE BOARD

PUBLIC MEETING

VIA VIDEO AND AUDIO CONFERENCE

THURSDAY, NOVEMBER 18, 2021

7:30 P.M.

AGENDA

1. Approval of the minutes of the previous public meeting
2. Next regular public meeting of the Police Board: Thursday, December 16, at 7:30 p.m.
3. Police disciplinary cases
4. Report of the Superintendent of Police
5. Report of the Chief Administrator of the Civilian Office of Police Accountability
6. Questions and comments from the public (see the Policy Regarding the Attendance of and Participation by the Public at Board Meetings)

**POLICE BOARD
CITY OF CHICAGO**

REGULAR PUBLIC MEETING

**VIA VIDEO AND AUDIO CONFERENCE
CHICAGO, ILLINOIS**

THURSDAY, OCTOBER 21, 2021, 7:30 P.M.

MINUTES [Draft]

Board Members Present:

- President Ghian Foreman
- Vice President Paula Wolff
- Nanette Doorley
- Michael Eaddy
- Steve Flores
- Andrea L. Zopp

Board Members Absent: Jorge Montes

Others Present:

- David Brown, Superintendent of Police
- Andrea Kersten, Interim Chief Administrator of the Civilian Office of Police Accountability (COPA)
- Deborah Witzburg, Deputy Inspector General for Public Safety
- Karen Konow, Chief of the Chicago Police Department (CPD) Bureau of Internal Affairs
- Eric Carter, First Deputy Superintendent of Police
- Brian McDermott, Chief of the CPD Bureau of Patrol
- Brendan Deenihan, Chief of the CPD Bureau of Detectives
- Dana O'Malley, General Counsel to the Superintendent of Police
- Max A. Caproni, Executive Director of the Police Board
- Members of the public

President Foreman called the meeting to order.

President Foreman announced that he has determined that holding this meeting in person is not practical or prudent due to the COVID-19 pandemic, and that the meeting is therefore being held remotely to protect the public's health, as authorized by the Illinois Open Meetings Act.

President Foreman noted that the meeting is open to the public via audio conference and is being carried live by CAN-TV.

Minutes of the Previous Public Meeting

Vice President Wolff moved to approve the draft of the minutes of the Board's regular public meeting held on September 23, 2021. The motion passed by a vote of 6 in favor (Foreman, Wolff, Doorley, Eaddy, Flores, and Zopp) to 0 opposed.

Upcoming Meetings

President Foreman announced that the Board's next regular public meeting will be on Thursday, November 18, 2021, at 7:30pm.

Vice President Wolff moved to close a series of executive sessions of the Board for the purposes of considering personnel matters and litigation, as authorized by sections 2(c)(1), (3), (4), and (11) of the Illinois Open Meetings Act. The motion passed by a vote of 6 in favor (Foreman, Wolff, Doorley, Eaddy, Flores, and Zopp) to 0 opposed.

Presentation on the Police Union Contract

Cicely Porter, the City of Chicago's chief labor negotiator, gave a presentation on the City's contract with the Fraternal Order of Police that was recently approved by the City Council. (*See the transcript and the video recording of the meeting, posted on the Board's website, for the complete presentation.*)

Update on the Consent Decree Entered in *Illinois v. Chicago*

President Foreman noted the Independent Monitor recently issued a report on the City's compliance with the Consent Decree on policing in Chicago. President Foreman reported that the Monitor found the Police Board to be in full compliance with the requirements of 8 of the 12 paragraphs the Board is responsible for implementing. He also stated that the Board has met preliminary compliance with one paragraph and will continue to work closely with the Monitor to meet the requirements of the three paragraphs on training for Board members.

Police Disciplinary Cases

President Foreman noted that a report of disciplinary actions taken by the Board during the previous month is posted on the Board's website. He reported that there is one announcement of a ruling in a disciplinary matter on the agenda:

- Case No. 21 RR 14. Board Member Flores reported that pursuant to Section 2-78-130 of the Municipal Code of Chicago he reviewed one matter on which the Chief Administrator of the Civilian Office of Police Accountability and the Superintendent of Police did not agree regarding the discipline of a sergeant. Board Member Flores reported that the Chief Administrator recommended that Sergeant William Spyker be discharged from the CPD for failing to report a complaint of misconduct against a police officer following an incident at the Jackson subway station on February 4th, 2020, and for having the officer handcuff and detain the complainant without justification. Board Member Flores reported that the Superintendent did not agree with certain findings and recommended a 180-day suspension. Board Member Flores announced his ruling that the Superintendent did not meet the burden of overcoming the Chief Administrator's recommendation for discipline. Board Member Flores noted that the written opinion will be posted on the Board's website as required by the Municipal Code.

CPD Applicant Appeals

President Foreman reported that the Board, as authorized by the Open Meetings Act, considered in a closed meeting several appeals from applicants for a Chicago police officer position who have been removed from the eligibility list due to the results of a background examination, and he stated that the Board will now take final action on these appeals.

Board Member Flores moved to adopt the appeals officer's findings, conclusions and recommendations and to affirm the decisions to disqualify the applicants in Appeal Nos. 21 AA 01, 03, 04, and 06. The motion passed by a vote of 6 in favor (Foreman, Wolff, Doorley, Eaddy, Flores, and Zopp) to 0 opposed for Appeal Nos. 21 AA 01, 03, and 04, and by a vote of 5 in favor (Foreman, Doorley, Eaddy, Flores, and Zopp) to 0 opposed for Appeal No. 21 AA 06 (Vice President Wolff abstained from this vote).

President Foreman noted that the written findings and decisions for each of the appeals on which the Board took final action this evening will be entered as of today's date, sent to the parties, and posted on the Board's website within five days.

Superintendent's Report

Superintendent Brown paid tribute to the four officers who died in the line of duty due to COVID-19, and he reported on recent promotions and graduations from the police academy, the new gun and homicide tip line, and compliance with the Consent Decree. *(See the transcript and the video recording of the meeting, posted on the Board's website, for the complete report.)*

Chief Administrator's Report

Chief Administrator Kersten reported on COPA's statistics of complaints received and investigations, recent video releases, community-engagement events, compliance with the Consent Decree, and creation of a transparency unit. *(See the transcript and the video recording of the meeting, posted on the Board's website, for the complete report.)*

Questions and Comments from the Public

President Foreman called upon the members of the public who signed up in advance to speak at the meeting. *(See the transcript and the video recording of the meeting, posted on the Board's website, for the complete remarks of each speaker and responses to speakers' questions and concerns.)*

- Iris Berrios, Lara Haddadin, Dod McColgan, Hankyeol Song, Jazmine Salas, and Grace Patino spoke about the August 28 incident at North Avenue Beach involving Nikita Brown and a Chicago police officer.
- Ora Jackson, Matt Brandon, Jennifer Edwards, June Norfleet, and CeCe Edwards spoke about criminal activity outside of businesses and the community's efforts to increase safety in the 3rd and 6th police districts.

- Lena Bivins expressed her concerns about crime in Woodlawn.
- Robert More spoke about a variety of matters.
- President Foreman called upon the following individuals and there was no response:
Andy Klenzman, Nerissa Allegretti, Crista Noel, Shantel Ollie, and Flora Suttle.

Adjournment

President Foreman stated that all persons who had signed up in advance to speak had been called. Vice President Wolff moved to adjourn the meeting. The motion passed by a vote of 6 in favor (Foreman, Wolff, Doorley, Eaddy, Flores, and Zopp) to 0 opposed, and President Foreman announced that the meeting is adjourned.

Respectfully submitted,

/s/ Max A. Caproni
Executive Director
Police Board

[NOTE: The Police Board has authorized the publication of the following portions of the minutes of this closed meeting.]

**POLICE BOARD
CITY OF CHICAGO**

EXECUTIVE SESSION

[Closed meeting, as authorized by the Illinois Open Meetings Act]

**VIA VIDEO CONFERENCE
CHICAGO, ILLINOIS**

THURSDAY, SEPTEMBER 23, 2021, 4:00 P.M.

MINUTES

[Approved October 21, 2021]

Board Members Present: President Ghian Foreman, Vice President Paula Wolff, Nanette Doorley, Michael Eaddy, Steve Flores, Jorge Montes, and Andrea L. Zopp.

Board Members Absent: None.

Staff Members Present: Executive Director Max A. Caproni, Executive Administrative Assistant Jazmyne Rollins, Special Assistant Corporation Counsel Bethany K. Biesenthal, and Hearing Officer Lauren A. Freeman.

1. General Business

- a. Executive Director Caproni noted that this meeting is taking place via video conference because President Foreman has determined that holding an in-person meeting is not practical or prudent due to the COVID-19 pandemic.
- b. Board Member Flores moved to approve the draft of the minutes of the August 19, 2021, executive session that was circulated prior to the meeting. The motion passed by a vote of 7 in favor (Foreman, Wolff, Doorley, Eaddy, Flores, Montes, and Zopp) to 0 opposed.
- c. Executive Director Caproni reminded Board members that the next regular Board meeting is scheduled for Thursday, October 21, 2021.
- d. Announcements
 - i. Executive Director Caproni reminded Board members of the upcoming training session with the U.S. Holocaust Museum.
 - ii. Executive Director Caproni announced that the Office of the Inspector

General recently issued an advisory regarding Chicago Police Department background checks on members of the public who signed up to speak at Police Board public meetings in 2019 and prior years.

- iii. Executive Director Caproni announced that currently before the City Council is a proposed ordinance to grant the Police Board the authority to consider appeals from persons seeking removal of status identification from a criminal enterprise information system maintained by the Chicago Police Department.
- iv. President Foreman noted he and Executive Director Caproni will be attending the annual City Council budget committee hearing on the Board's budget on October 4.

2. Police Disciplinary Cases

- a. **Case No. 20 PB 2980, Jason Villarreal.** There were no comments or questions on the draft of the Memorandum and Order that was circulated prior to the meeting.
 - b. **Case No. 20 PB 2982, Thomas Sherry.** Special Assistant Corporation Counsel Biesenthal summarized the draft memorandum she prepared in response to the Respondent's motion for clarification of the Board's order denying the motion to dismiss. After due consideration, Board Member Zopp moved to adopt this draft and issue the memorandum to the parties. The motion passed by a vote of 6 in favor (Foreman, Wolff, Eaddy, Flores, Montes, and Zopp) to 0 opposed. (Board Member Doorley did not participate in consideration of the motion for clarification, as she was not on the Board when it denied the motion to dismiss.)
3. CPD Applicant Appeals. Executive Director Caproni provided an update on appeals from disqualified applicants for the position of Chicago police officer. He reported that thus far in 2021 CPD has sent 60 notification letters and that the Board has received 8 appeals, with 4 appellants being represented by an attorney. He said that several appeals will likely be on the agenda for the October executive session.

Respectfully submitted,

/s/ Max A. Caproni
Executive Director

**Chicago Police Board
Monthly Report of Decisions
October 2021**

THE POLICE BOARD'S ROLE IN THE DISCIPLINARY PROCESS

Discharge Cases: The Police Board decides disciplinary cases when the Superintendent of Police files charges to discharge a sworn officer from the Chicago Police Department (CPD).

Disagreement Cases: Individual members of the Police Board rule on disagreements between the Chief Administrator of the Civilian Office of Police Accountability (COPA) and the Superintendent of Police over the recommended discipline of an officer.

DISCHARGE CASES

	BIA		COPA		COPA		OIG		Total	
	This Month	Year-to-Date	This Month	Year-to-Date	This Month	Year-to-Date	This Month	Year-to-Date	This Month	Year-to-Date
Guilty, Discharged	0	1	0	2	0	0	0	0	0	3
Guilty, Suspended	0	1	0	0	0	0	0	0	0	1
Not Guilty	0	0	0	1	0	0	0	0	0	1
Charges Withdrawn--Respondent Resigned	0	1	0	5	0	1	0	0	0	7
Charges Withdrawn--Other	0	0	0	1	0	0	0	0	0	1
Total	0	3	0	9	0	1	0	0	0	13

BIA = Investigated by the Chicago Police Department's Bureau of Internal Affairs
 COPA = Investigated by the Civilian Office of Police Accountability
 OIG = Investigated by the Office of the Inspector General

DISAGREEMENT CASES

COPA Recommendation:	Ruling for COPA		Ruling for CPD	
	This Month	Year-to-Date	This Month	Year-to-Date
Discharge from CPD	1	2	0	0
Suspension > 30 days	0	4	0	1
Suspension 11 - 30 days	0	4	0	2
Suspension 1 - 10 days or reprimand	0	1	0	0
Total	1	11	0	3

**POLICE BOARD
CITY OF CHICAGO**

**Policy Regarding the Attendance of and Participation by
the Public at Board Meetings**

July 23, 2019

The Police Board values the attendance of the public at its meetings and the opportunity to receive comments and questions on matters concerning the Board or the Police Department. The Board will treat members of the public with courtesy and respect, and expects that the public will treat Board members and Department members in a similar manner.

Toward that end, the Board has adopted the following rules governing conduct at Board meetings:

1. An individual wishing to address the Board must sign-up in advance by contacting the Board's office no later than 3:00 p.m. of the day of the meeting, or by signing up in person at the meeting location up to 15 minutes before the meeting begins.
2. When called upon to address the Board, each speaker is to identify him/herself and speak clearly so that all in attendance may hear and so that the court reporter may make an accurate record of the proceedings.
3. Due to time constraints, each speaker is limited to two minutes and must conclude when asked to do so by the Board member acting as parliamentarian.
4. Personal attacks, obscene language, fighting words, threats, conduct intended to disrupt or interfere with the meeting, and comments not related to matters within the Board's or the Department's jurisdiction, by a speaker or any person in attendance, are strictly prohibited.

Violation of any of the above rules may result in the removal of the violator from the meeting room, or in the immediate adjournment of the meeting; in addition, repeated violations may result in the violator not being permitted to attend or participate in future Board meetings.

CITY OF CHICAGO

Policy Regarding Community Input Received at Police Board Public Meetings¹ June 20, 2019

The City values the attendance of the public at monthly Police Board meetings and the opportunity to receive comments and questions concerning police-related matters. The following policy is created to ensure responsiveness to community input received at the meetings.

1. Each Police Board public meeting shall be transcribed by a court reporter. The transcript of the meeting shall include a complete report of each speaker's remarks, and shall be posted on the Police Board website.
2. Within seven business days of the public meeting, the Executive Director of the Police Board shall review the transcript of the meeting, classify the community input received, and direct the community input to the appropriate responding agency (Police Department, Civilian Office of Police Accountability, Police Board, Deputy Inspector General for Public Safety, and/or any other appropriate agency).
3. Each responding agency shall make best efforts² to respond fully to the community input.
4. Within ten business days of receiving the community input from the Executive Director of the Police Board, each responding agency shall provide the Executive Director with a written report documenting its response to the community input to date. The Executive Director of the Police Board shall track all community input and responses.
5. The Executive Director of the Police Board shall post on the Police Board website prior to the next public meeting: (a) a report of the tracking of community input and responses (if no response is received, this will be noted on the report), and (b) each responding agency's written report of its response to the community input.

¹ This policy is created to fulfill the requirements of Paragraph No. 538 of the Consent Decree entered in *Illinois v. Chicago*:

538. Within 90 days of the Effective Date, the City will create a policy for collecting, documenting, classifying, tracking, and responding to community input received during the Police Board's regular community meetings. The policy will outline the methods for: (a) directing community input to the appropriate responding entity, agency, or office; and (b) documenting and making public, all responses to community input.

² As defined in Paragraph No. 729 of the Consent Decree, "Best efforts' require a party, in good faith, to take all reasonable steps to achieve the stated objective." (Footnote added on October 18, 2019)

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This communication summarizes new or amended directives issued by the Superintendent between **01 October 31 2021**.

The following directives, along with all of the Chicago Police Department's orders, are available for review in their entirety on the Department website listed below:
<http://directives.chicagopolice.org>

DEPARTMENT NOTICE

- D21-06** 2022 COURT HOLIDAYS AND COURT CITING DATE CARDS
- D21-07** ANNUAL WATCH AND FURLOUGH SELECTIONS, VACATION SCHEDULES, AND 2022 OPERATIONS CALENDAR
- D21-05** GUN TRAFFICKING AND HOMICIDE TIP LINE PROGRAM

SPECIAL ORDER

- S04-19** SEARCH WARRANTS

EMPLOYEE RESOURCE

- E05-08** APPLICATION FOR POLICE OFFICER (ASSIGNED AS FIELD TRAINING OFFICER), TITLE CODE 9164

UNIFORM AND PROPERTY

- U06-01-09** NECKTIE AND TIE BAR

RESOURCES

DEPARTMENT DIRECTIVES SYSTEM (DDS) INDEX - CPD-11.716
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PERSONNEL AND TRAINING

During the month of **OCTOBER 2021**, **207** training blocks were conducted for Chicago Police Recruits, Metropolitan Recruits (including surrounding agencies) and In-Service Courses.

A total of **30,782** Department attendees received In-Service/E-Learning training, which included: Range Prescribed and Aux/Alt Weapons Qualifications, Use of Force – Communications, Use of Force – Procedures, LEMART In-Service Refresher Training, TARA Field Force Operations Training Sergeants, TTU In-Service Active Shooter, GYM Pre-Hire Power Test and Final, CIT Crisis Intervention Training and Refresher, Driving Unit – Recruit and Metro Recruit Training, Community Policing Training and Officer Wellness.

A total of **189 Chicago Police Recruits** were in training along with **88 Metropolitan Police Recruits**.

**BIA AND COPA STATISTICS
COMPLAINTS RECEIVED, COMPLETED AND DISPOSITION**

Police Board October 2021 Complaint Statistics

All Log Numbers Received in CLEAR & CMS, Including Admin Closures

	Total Received	Assigned to BIA	Percent of Total
October 2020	412	327	79.4%
2020 Year to Date	4,870	3,184	65.4%
October 2021	396	335	84.6%
2021 Year to Date	4,280	3,433	80.2%

BIA Admin Closed	Percent of BIA Total
135	41.3%
1,364	42.8%
113	33.7%
1,409	41.0%

Pre-Affidavit Investigations *

* Count of cases (log numbers) excluding admin closures.

	Assigned to BIA	Percent of Total	Assigned to COPA	Percent of Total	Total Received
October 2020	192	69.3%	85	30.7%	277
2020 Year to Date	1,820	51.9%	1,686	48.1%	3,506
October 2021	222	78.4%	61	21.6%	283
2021 Year to Date	2,024	70.5%	847	29.5%	2,871

BIA Pre-Affidavit Investigations Received

	2020	2021	+/-
October	192	222	30
Year to Date*	1,820	2,024	204

BIA Investigations Closed (Investigation Completed)

2020	2021	+/-
138	132	-6
1,556	1,447	-109

BIA Investigative Findings (Includes Field Units) **

** Count of Cases with Case Closed Dates only, e.g. Case Final and organized by Case Closed Date.

	October 2020	Percent of Total	YTD 2020	October 2021	Percent of Total	YTD 2021	YTD +/-
Sustained	7	5.1%	130	83	62.9%	272	142
Exonerated	5	3.6%	214	4	3.0%	43	-171
Unfounded	22	15.9%	36	6	4.5%	153	117
Not Sustained	38	27.5%	312	12	9.1%	193	-119
Admin Closed	0	0.0%	13	0	0.0%	4	-9
No Affidavit /NC	66	47.8%	851	27	20.5%	782	-69
	138		1,556	132		1,447	-109

**BIA AND COPA STATISTICS
COMPLAINTS RECEIVED, COMPLETED AND DISPOSITION**

**Disciplinary Codes Entered for Members, Count of Members not of Log Numbers
BIA Investigations Only**

(Discipline at 'Final Finding', Case Closed in Records with Sustained Finding) ***

*** Organized by Case Closed Date.

	October 2020	Percent of Total	YTD 2020	October 2021	Percent of Total	YTD 2021	YTD +/-
000 - Violation Noted	0	0.0%	34	12	11.8%	57	23
100 - Reprimand	3	50.0%	38	17	16.7%	117	79
200 - Susp Over 30 days	0	0.0%	0	0	0.0%	1	1
800 - Resigned Not Served	2	33.3%	19	2	2.0%	9	-10
900 - Penalty Not Served	0	0.0%	5	0	0.0%	0	-5
Suspended 1 to 5 days	0	0.0%	33	65	63.7%	111	78
Suspended 6 to 15 days	1	16.7%	8	2	2.0%	21	13
Suspended 16 to 30 days	0	0.0%	2	4	3.9%	8	6
	6	100.0%	139	102	100.0%	324	185

Prepared by P.O. Stephen Beime #17561

Report Date: 17-Nov-2021
 Report Time: 11:07

Produced by
 FIELD TECHNOLOGY AND INNOVATION
 SECTION (FTIS)
 Data Warehouse

**CITY OF CHICAGO DEPARTMENT OF POLICE
 LISTING OF SEPARATIONS
 FOR OCTOBER 2021**



SUMMARY OF SEPARATIONS BY CODE FOR CIVILIANS

SEPARATION CODE	DESCRIPTION	OCT 2021	JAN - OCT 2021	OCT 2020	JAN - OCT 2020	ALL OF 2020
809	RESIGN/UNDER INVEST	0	0	0	1	1
810	RESIGN PENSION	1	29	4	38	41
812	RESIGN OTHER EMPLOY	0	3	0	0	0
814	RSGN FAM RESP/DOMEST	0	2	0	0	0
816	RESIGN FIN SCHOOL	0	0	0	2	2
819	SEP/OTHER CITY POS	0	6	1	8	8
821	RESIGN/OTHER	2	29	0	18	23
828	RESIGN FROM LOA	0	1	0	0	0
829	RESIGN FROM DPR	0	0	0	1	1
845	MANDATORY RETIREMENT	0	0	0	1	1
	CIVILIAN TOTALS	3	70	5	69	77

* TIME ELAPSED FROM DATE OF APPOINTMENT TO DATE OF SEPARATION, MAY NOT REFLECT CONTINUOUS SERVICE WITH THE DEPARTMENT DUE TO LEAVES OF ABSENCE AND OTHER ADJUSTMENTS.
 NOTE: THE INFORMATION IS CURRENT AS OF THE DATE AND TIME OF THE REPORT.

Report Date: 17-Nov-2021
 Report Time: 10:54

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 FIELD TECHNOLOGY AND INNOVATION
 SECTION (FTIS)
 Data Warehouse

**CITY OF CHICAGO DEPARTMENT OF POLICE
 LISTING OF SEPARATIONS
 FOR OCTOBER 2021**



SUMMARY OF SEPARATIONS BY CODE FOR SWORN

SEPARATION CODE	DESCRIPTION	OCT 2021	JAN - OCT 2021	OCT 2020	JAN - OCT 2020	ALL OF 2020
808	RESIGN PENSIO/INVEST	0	10	0	0	1
809	RESIGN/UNDER INVEST	0	11	1	12	14
810	RESIGN PENSION	37	566	35	459	508
812	RESIGN OTHER EMPLOY	21	113	2	22	24
814	RSGN FAM RESP/DOMEST	1	4	0	0	0
816	RESIGN FIN SCHOOL	0	1	0	0	0
819	SEP/OTHER CITY POS	0	0	0	11	11
821	RESIGN/OTHER	2	66	4	40	60
825	JOB ABANDONMENT	0	0	0	1	1
828	RESIGN FROM LOA	0	6	1	4	5
829	RESIGN FROM DPR	0	0	0	9	9
845	MANDATORY RETIREMENT	1	4	2	19	19
860	DEATH	0	1	0	0	0
SWORN TOTALS		62	782	45	577	652

* TIME ELAPSED FROM DATE OF APPOINTMENT TO DATE OF SEPARATION, MAY NOT REFLECT CONTINUOUS SERVICE WITH THE DEPARTMENT DUE TO LEAVES OF ABSENCE AND OTHER ADJUSTMENTS.

NOTE: THE INFORMATION IS CURRENT AS OF THE DATE AND TIME OF THE REPORT.