

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

POLICE BOARD
CITY OF CHICAGO

PUBLIC MEETING

Chicago Public Safety Headquarters
3510 South Michigan Avenue
Chicago, Illinois

Thursday, October 11, 2018
7:30 p.m.

APPEARANCES:

- POLICE BOARD MEMBERS
- GHIAN FOREMAN, President
- PAULA WOLFF, Vice President
- EVA-DINA DELGADO
- MICHAEL EADDY
- STEVE FLORES
- JOHN P. O'MALLEY, JR. (Via audio conference)
- JOHN H. SIMPSON (Via audio conference)
- RHODA D. SWEENEY
- ANDREA L. ZOPP (Via audio conference)

ALSO PRESENT:

- EDDIE T. JOHNSON, Superintendent of Police;
- CHARISE VALENTE, General Counsel to the
Superintendent of Police;
- KEVIN CONNOR, Civilian Office of Police
Accountability;
- MAX CAPRONI, Executive Director, Police Board.

**CERTIFIED
TRANSCRIPT**

1 PRESIDENT FOREMAN: Good evening. I'm
2 Ghian Foreman, President of the Chicago Police
3 Board, and I'm calling the meeting to order.

4 Board Members O'Malley, Simpson
5 and Zopp are unable to attend this meeting in
6 person. Is there a motion to permit remote
7 attendance?

8 BOARD MEMBER DELGADO: So moved.

9 BOARD MEMBER FLORES: Second.

10 PRESIDENT FOREMAN: All in favor?

11 (CHORUS OF AYES.)

12 PRESIDENT FOREMAN: Any opposed?

13 (NO RESPONSE.)

14 PRESIDENT FOREMAN: The motion passes.

15 The first item of business is
16 approval of the minutes of the Board's regular
17 public meeting held on September 20th, 2018.

18 Is there a motion to approve the minutes?

19 BOARD MEMBER FLORES: So moved.

20 BOARD MEMBER EADDY: Second.

21 PRESIDENT FOREMAN: All in favor?

22 (CHORUS OF AYES.)

23 PRESIDENT FOREMAN: The motion passes.

24 Our next regular public meeting

1 will be held Thursday, November 15th, at 7:30
2 p.m. here at the Chicago Public Safety
3 Headquarters.

4 At this time, I ask for a motion
5 to close a series of executive sessions for the
6 purposes of considering personnel matters and
7 litigation as authorized by Sections
8 2(c)(1)(3)(4) and (11) of the Illinois Open
9 Meetings Act. Is there such a motion?

10 BOARD MEMBER SWEENEY: So moved.

11 BOARD MEMBER EADDY: Second.

12 PRESIDENT FOREMAN: All in favor?

13 (CHORUS OF AYES.)

14 PRESIDENT FOREMAN: The motion passes.

15 A report of disciplinary actions
16 taken by the Board in the previous month has
17 been made available at this evening's meeting.
18 This report and the Board's written findings
19 and decisions are posted on the Board's
20 website.

21 The Police Board, as authorized
22 by The Open Meetings Act, has considered in a
23 closed meeting one disciplinary case. The
24 Board will now take final action on this case.

1 Regarding case number 17 PB 2940, is there a
2 motion to find Police Officer Brandon Ternand
3 not guilty of charges that he used deadly force
4 without justification and to reinstate him to
5 his position with the Chicago Police
6 Department?

7 BOARD MEMBER SWEENEY: So moved.

8 BOARD MEMBER DELGADO: Second.

9 PRESIDENT FOREMAN: All in favor?

10 (WHEREUPON, Board Members
11 Delgado, O'Malley, Simpson,
12 Sweeney and Zopp raised
13 their hands.)

14 PRESIDENT FOREMAN: Any opposed?

15 (WHEREUPON, Board Members
16 Foreman, Wolff, and Eaddy
17 raised their hands.)

18 PRESIDENT FOREMAN: Voting in favor are
19 Board Members Delgado, O'Malley, Simpson,
20 Sweeney and Zopp. Opposed are Board Members
21 Wolff, Eaddy and myself. The motion passes.

22 Is there a motion to adopt the
23 written findings and decisions and dissent that
24 has been reviewed by all Board members who

1 participated in the case?

2 BOARD MEMBER EADDY: So moved.

3 BOARD MEMBER SWEENEY: Second.

4 PRESIDENT FOREMAN: All in favor?

5 (CHORUS OF AYES.)

6 PRESIDENT FOREMAN: None opposed. The
7 motion passes.

8 The Board's decision in the case
9 on which we took final action this evening will
10 be entered as of today's date and will be
11 issued to the parties. A copy of the written
12 decision will be posted on the Board's website
13 as required by the Municipal Code of Chicago.

14 There's one additional
15 disciplinary matter to announce. Board Member
16 O'Malley will report on this matter. We're
17 going to try to do this remotely. Let's see.
18 Okay, Board Member O'Malley.

19 BOARD MEMBER O'MALLEY: Good evening.
20 Pursuant to Section 2-78-130 of the Municipal
21 Code of Chicago, I considered one matter on
22 which the Chief Administrator and the Civilian
23 Office of Police Accountability and the
24 Superintendent of Police did not agree

1 regarding the discipline of two police
2 officers.

3 Request for Review numbers 18 RR
4 05 and 06 involves allegations of Police
5 Officers Daniel Brown and Miguel Delgado
6 improperly conducted a search of an individual's
7 vehicle.

8 The Chief Administrator
9 recommended sustaining this allegation and
10 suspending each officer for two days. The
11 Superintendent recommended classifying this
12 allegation as exonerated.

13 After reviewing this matter, I
14 find that the Superintendent met the burden of
15 overcoming the Chief Administrator's
16 recommendation for discipline. Therefore,
17 according to the Municipal Code of Chicago, the
18 Superintendent's recommendation will be
19 implemented.

20 A copy of the written opinion
21 will be posted on the Board's website as
22 required by the Municipal Code.

23 PRESIDENT FOREMAN: Thank you, John.

24 The general orders and other

1 directives issued by the Superintendent of
2 Police during the previous month are listed in
3 the books made available at this evening's
4 meeting and posted on the Police Department's
5 website.

6 The next item is the
7 Superintendent's report to the Board.

8 SUPERINTENDENT JOHNSON: No report.

9 PRESIDENT FOREMAN: Is there a motion to
10 waive the oral presentation and receive the
11 monthly report in writing?

12 BOARD MEMBER EADDY: So moved.

13 BOARD MEMBER SWEENEY: Second.

14 PRESIDENT FOREMAN: All in favor?

15 (CHORUS OF AYES.)

16 PRESIDENT FOREMAN: The motion passes.

17 I will now call upon those
18 members of the public who signed up in advance
19 to speak. When your name is called, please
20 step up to the microphone. We ask that you
21 limit your comments to two minutes.

22 First speaker, Martin Preib.

23 MR. PREIB: Good evening. My name is
24 Martin Preib, second vice-president of the

1 Fraternal Order of Police.

2 I spent a lot of time at the
3 hearings for Brandon Ternand, and I walked
4 through the crime scene, and I looked at a lot
5 of the evidence. I really don't see how
6 anybody could have voted that unjustified. But
7 that's over with hopefully.

8 I have some questions, mainly
9 directed to you, Mr. Roberts. There was a
10 lawsuit filed by some gentleman named Kelvin
11 Lett alleging that the former head of the IPRA,
12 Sharon Fairley, told him that he had to change
13 his ruling on a police shooting. Apparently
14 that was filed in federal court.

15 IPRA is also accused in another
16 lawsuit by Commander Glenn Evans of -- that
17 they trumped up charges in a criminal case in
18 which he was completely vindicated.

19 In another case, COPA conducted
20 an investigation on another officer in a
21 high-profile shooting, and it was the FOP who
22 discovered COPA hired outside investigators,
23 third-party investigators, and not included the
24 fact that they hired them or any of their

1 findings in anything they submitted to the
2 Superintendent, to the prosecutor or to the
3 public.

4 And I think there's a very clear
5 pattern of very suspicious conduct at COPA in
6 their investigations and their procedures.

7 And I think if these kind of
8 allegations arose against an accused police
9 officer, there would be a lot more
10 repercussions than I think anybody's seen.
11 There would be a lot more discussion about it.

12 And I think this Board should
13 initiate an investigation into what was going
14 on in IPRA under Fairley to start with.
15 I think that would be a good beginning.

16 I think that also coincides with
17 the fact that I've never really seen anything
18 from this Board that taps into the mountain of
19 evidence that officers have been
20 accused -- falsely accused in many high-profile
21 wrongful conviction cases in which the City's
22 paid tens of millions of dollars. That
23 evidence has arisen now in at least two
24 high-profile federal cases. And I think if

1 this Board is going to conduct fair
2 investigations of police officers, they also
3 have to take into account the evidence of
4 misconduct in those who are accusing the police
5 officers. And unless you do, I don't think
6 you're conducting fair investigations. That's
7 all I have to say.

8 PRESIDENT FOREMAN: Thank you. Just for
9 clarification purposes, we don't do those
10 investigations. So we --

11 MR. Preib: I understand the nature of the
12 your investigation.

13 PRESIDENT FOREMAN: No, no, no. That's not
14 what the Police Board does. So it's a
15 different body that you --

16 MR. Preib: That's an easy out,
17 Mr. Foreman. It's an easy out.

18 PRESIDENT FOREMAN: No, it's not an easy
19 out. Look at what -- next speaker. Robert
20 More.

21 At this time, all persons who
22 signed up in advance to speak have been
23 recognized. Is there a motion to adjourn?

24 BOARD MEMBER SWEENEY: So moved.

1 BOARD MEMBER EADDY: Second.

2 PRESIDENT FOREMAN: All in favor?

3 (CHORUS OF AYES.)

4 PRESIDENT FOREMAN: The motion passes and
5 the meeting is adjourned. Thank you.

6

7 (WHEREUPON, the proceedings
8 were adjourned at 7:44 p.m.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

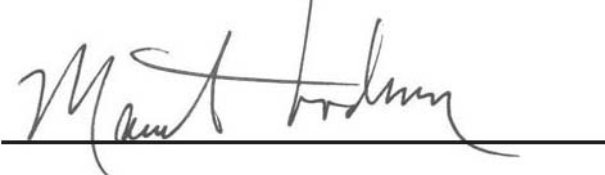
23

24

1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF C O O K)

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

MAUREEN A. WOODMAN, C.S.R., being first
duly sworn, says that she is a court reporter
doing business in the City of Chicago; that she
reported in shorthand the proceedings had at
the meeting of said cause; that the foregoing
is a true and correct transcript of her
shorthand notes, so taken as aforesaid, and
contains all the proceedings of said meeting.



MAUREEN A. WOODMAN, CSR
License No. 084.002740

	available (2) 3:17;7:3	9:21	5:8,12	9:20
A	AYES (6) 2:11,22;3:13;5:5; 7:15;11:3	Civilian (1) 5:22	decisions (2) 3:19;4:23	favor (8) 2:10,21;3:12;4:9, 18;5:4;7:14;11:2
according (1) 6:17		clarification (1) 10:9	DELGADO (5) 2:8;4:8,11,19;6:5	federal (2) 8:14;9:24
account (1) 10:3	B	classifying (1) 6:11	Department (1) 4:6	filed (2) 8:10,14
Accountability (1) 5:23	beginning (1) 9:15	clear (1) 9:4	Department's (1) 7:4	final (2) 3:24;5:9
accused (4) 8:15;9:8,20,20	Board (32) 2:3,4,8,9,19,20; 3:10,11,16,21,24; 4:7,8,10,15,19,20, 24;5:2,3,15,18,19; 7:7,12,13;9:12,18; 10:1,14,24;11:1	close (1) 3:5	different (1) 10:15	find (2) 4:2;6:14
accusing (1) 10:4	Board's (6) 2:16;3:18,19;5:8, 12;6:21	closed (1) 3:23	directed (1) 8:9	findings (3) 3:18;4:23;9:1
Act (2) 3:9,22	body (1) 10:15	Code (4) 5:13,21;6:17,22	directives (1) 7:1	first (3) 2:15;7:22;12:4
action (2) 3:24;5:9	books (1) 7:3	coincides (1) 9:16	disciplinary (3) 3:15,23;5:15	FLORES (2) 2:9,19
actions (1) 3:15	Brown (1) 4:2;8:3	Commander (1) 8:16	discipline (2) 6:1,16	FOP (1) 8:21
additional (1) 5:14	burden (1) 6:14	comments (1) 7:21	discovered (1) 8:22	force (1) 4:3
adjourn (1) 10:23	business (2) 2:15;12:6	completely (1) 8:18	discussion (1) 9:11	foregoing (1) 12:8
adjourned (2) 11:5,8		conduct (2) 9:5;10:1	dissent (1) 4:23	FOREMAN (25) 2:1,2,10,12,14,21, 23;3:12,14;4:9,14, 16,18;5:4,6;6:23; 7:9,14,16;10:8,13, 17,18;11:2,4
Administrator (2) 5:22;6:8		conducted (2) 6:6;8:19	dollars (1) 9:22	former (1) 8:11
Administrator's (1) 6:15		conducting (1) 10:6	duly (1) 12:5	Fraternal (1) 8:1
adopt (1) 4:22	C	considered (2) 3:22;5:21	during (1) 7:2	G
advance (2) 7:18;10:22		considering (1) 3:6	E	general (1) 6:24
aforesaid (1) 12:10	call (1) 7:17	contains (1) 12:11	EADDY (7) 2:20;3:11;4:16, 21;5:2;7:12;11:1	gentleman (1) 8:10
against (1) 9:8	called (1) 7:19	conviction (1) 9:21	easy (3) 10:16,17,18	Ghian (1) 2:2
agree (1) 5:24	calling (1) 2:3	COPA (3) 8:19,22;9:5	entered (1) 5:10	Glenn (1) 8:16
allegation (2) 6:9,12	case (7) 3:23,24;4:1,5;1,8; 8:17,19	copy (2) 5:11;6:20	Evans (1) 8:16	Good (4) 2:1;5:19;7:23; 9:15
allegations (2) 6:4;9:8	cases (2) 9:21,24	COUNTY (1) 12:2	evening (4) 2:1;5:9,19;7:23	guilty (1) 4:3
alleging (1) 8:11	cause (1) 12:8	court (2) 8:14;12:5	evening's (2) 3:17;7:3	H
announce (1) 5:15	change (1) 8:12	crime (1) 8:4	evidence (4) 8:5;9:19,23;10:3	hands (2) 4:13,17
Apparently (1) 8:13	charges (2) 4:3;8:17	criminal (1) 8:17	executive (1) 3:5	head (1) 8:11
approval (1) 2:16	Chicago (7) 2:2;3:2;4:5;5:13, 21;6:17;12:6	CSR (1) 12:4	exonerated (1) 6:12	Headquarters (1) 3:3
approve (1) 2:18		D	F	hearings (1) 8:3
arisen (1) 9:23	Chief (3) 5:22;6:8,15	Daniel (1) 6:5	fact (2) 8:24;9:17	held (2) 2:17;3:1
arose (1) 9:8	CHORUS (6) 2:11,22;3:13;5:5; 7:15;11:3	date (1) 5:10	fair (2) 10:1,6	
attend (1) 2:5	City (1) 12:6	days (1) 6:10	Fairley (2) 8:12;9:14	
attendance (1) 2:7	City's (1)	deadly (1) 4:3	falsely (1)	
authorized (2) 3:7,21		decision (2)		

high-profile (3) 8:21;9:20,24	12:16	mountain (1) 9:18	6:15	5:20
hired (2) 8:22,24	limit (1) 7:21	moved (7) 2:8,19;3:10;4:7; 5:2;7:12;10:24	P	R
hopefully (1) 8:7	listed (1) 7:2	Municipal (4) 5:13,20;6:17,22		
I	litigation (1) 3:7	myself (1) 4:21	paid (1) 9:22	raised (2) 4:12,17
Illinois (2) 3:8;12:1	Look (1) 10:19	N	participated (1) 5:1	really (2) 8:5;9:17
implemented (1) 6:19	looked (1) 8:4	name (2) 7:19,23	parties (1) 5:11	receive (1) 7:10
improperly (1) 6:6	lot (4) 8:2,4;9:9,11	named (1) 8:10	passes (7) 2:14,23;3:14; 4:21;5:7;7:16;11:4	recognized (1) 10:23
included (1) 8:23	M	nature (1) 10:11	pattern (1) 9:5	recommendation (2) 6:16,18
individual's (1) 6:6	mainly (1) 8:8	next (3) 2:24;7:6;10:19	PB (1) 4:1	recommended (2) 6:9,11
initiate (1) 9:13	many (1) 9:20	None (1) 5:6	permit (1) 2:6	Regarding (2) 4:1;6:1
into (3) 9:13,18;10:3	Martin (2) 7:22,24	notes (1) 12:10	person (1) 2:6	regular (2) 2:16,24
investigation (3) 8:20;9:13;10:12	matter (4) 5:15,16,21;6:13	November (1) 3:1	personnel (1) 3:6	reinstate (1) 4:4
investigations (4) 9:6;10:2,6,10	matters (1) 3:6	number (1) 4:1	persons (1) 10:21	remote (1) 2:6
investigators (2) 8:22,23	MAUREEN (2) 12:,4	numbers (1) 6:3	please (1) 7:19	remotely (1) 5:17
involves (1) 6:4	meeting (10) 2:3,5,17,24;3:17, 23;7:4;11:5;12:8,11	O	pm (2) 3:2;11:8	repercussions (1) 9:10
IPRA (3) 8:11,15;9:14	Meetings (2) 3:9,22	Office (1) 5:23	Police (16) 2:2;3:21;4:2,5; 5:23,24;6:1,4;7:2,4; 8:1,13;9:8;10:2,4,14	report (6) 3:15,18;5:16;7:7, 8,11
issued (2) 5:11;7:1	MEMBER (17) 2:8,9,19,20;3:10, 11;4:7,8;5:2,3,15, 18,19;7:12,13; 10:24;11:1	Officer (4) 4:2;6:10;8:20;9:9	position (1) 4:5	reported (1) 12:7
J	Members (7) 2:4;4:10,15,19,20, 24;7:18	officers (5) 6:2,5;9:19;10:2,5	posted (4) 3:19;5:12;6:21; 7:4	reporter (1) 12:5
John (1) 6:23	met (1) 6:14	O'Malley (6) 2:4;4:11,19;5:16, 18,19	Preib (5) 7:22,23,24;10:11, 16	Request (1) 6:3
JOHNSON (1) 7:8	microphone (1) 7:20	one (3) 3:23;5:14,21	presentation (1) 7:10	required (2) 5:13;6:22
justification (1) 4:4	Miguel (1) 6:5	Open (2) 3:8,22	PRESIDENT (23) 2:1,2,10,12,14,21, 23;3:12,14;4:9,14, 18;5:4,6;6:23;7:9, 14,16;10:8,13,18; 11:2,4	RESPONSE (1) 2:13
K	millions (1) 9:22	opinion (1) 6:20	previous (2) 3:16;7:2	Review (1) 6:3
Kelvin (1) 8:10	minutes (3) 2:16,18;7:21	opposed (4) 2:12;4:14,20;5:6	procedures (1) 9:6	reviewed (1) 4:24
kind (1) 9:7	misconduct (1) 10:4	oral (1) 7:10	proceedings (3) 11:7;12:7,11	reviewing (1) 6:13
L	month (2) 3:16;7:2	order (2) 2:3;8:1	prosecutor (1) 9:2	Robert (1) 10:19
lawsuit (2) 8:10,16	monthly (1) 7:11	orders (1) 6:24	public (5) 2:17,24;3:2;7:18; 9:3	Roberts (1) 8:9
least (1) 9:23	more (3) 9:9,11;10:20	out (3) 10:16,17,19	purposes (2) 3:6;10:9	RR (1) 6:3
Lett (1) 8:11	motion (15) 2:6,14,18,23;3:4, 9,14;4:2,21,22;5:7; 7:9,16;10:23;11:4	outside (1) 8:22	Pursuant (1)	ruling (1) 8:13
License (1)		over (1) 8:7		S
		overcoming (1)		Safety (1) 3:2
				scene (1) 8:4
				Second (8)

2:9,20;3:11;4:8; 5:3;7:13,24;11:1	Therefore (1) 6:16	WHEREUPON (3) 4:10,15;11:7
Section (1) 5:20	third-party (1) 8:23	without (1) 4:4
Sections (1) 3:7	Thursday (1) 3:1	Wolff (2) 4:16,21
September (1) 2:17	today's (1) 5:10	WOODMAN (1) 12:4
series (1) 3:5	told (1) 8:12	WOODMANCSR (1) 12:
sessions (1) 3:5	took (1) 5:9	writing (1) 7:11
Sharon (1) 8:12	transcript (1) 12:9	written (4) 3:18;4:23;5:11; 6:20
shooting (2) 8:13,21	true (1) 12:9	wrongful (1) 9:21
shorthand (2) 12:7,10	trumped (1) 8:17	Z
signed (2) 7:18;10:22	try (1) 5:17	Zopp (3) 2:5;4:12,20
Simpson (3) 2:4;4:11,19	two (4) 6:1,10;7:21;9:23	0
speak (2) 7:19;10:22	U	05 (1) 6:4
speaker (2) 7:22;10:19	unable (1) 2:5	06 (1) 6:4
spent (1) 8:2	under (1) 9:14	084.002740 (1) 12:16
SS (1) 12:	unjustified (1) 8:6	1
start (1) 9:14	unless (1) 10:5	11 (1) 3:8
STATE (1) 12:1	up (4) 7:18,20;8:17; 10:22	15th (1) 3:1
step (1) 7:20	upon (1) 7:17	17 (1) 4:1
submitted (1) 9:1	used (1) 4:3	18 (1) 6:3
Superintendent (6) 5:24;6:11,14;7:1, 8:9;2	V	2
Superintendent's (2) 6:18;7:7	vehicle (1) 6:7	2018 (1) 2:17
suspending (1) 6:10	vice-president (1) 7:24	20th (1) 2:17
suspicious (1) 9:5	vindicated (1) 8:18	2-78-130 (1) 5:20
sustaining (1) 6:9	voted (1) 8:6	2940 (1) 4:1
SWEENEY (7) 3:10;4:7,12,20; 5:3;7:13;10:24	Voting (1) 4:18	2c134 (1) 3:8
sworn (1) 12:5	W	7
T	waive (1) 7:10	7:30 (1) 3:1
taps (1) 9:18	walked (1) 8:3	7:44 (1) 11:8
tens (1) 9:22	website (4) 3:20;5:12;6:21; 7:5	
Ternand (2) 4:2;8:3		