

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER EDIBERTO DIAZ,) **No. 19 PB 2960**
STAR No. 10299, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
)
) **(CR No. 1074738)**
RESPONDENT.)

FINDINGS AND DECISION

On July 25, 2019, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Ediberto Diaz, Star No. 10299 (hereinafter sometimes referred to as “Respondent”), recommending the Respondent be discharged from the Chicago Police Department for violating several Rules of Conduct, which set forth expressly prohibited acts.

A hearing on these charges against the Respondent took place before Hearing Officer Lauren A. Freeman on January 7 and 8, 2020. 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 the Respondent’s response to this report¹ (the Superintendent did not file a response), and viewed the video recording of the entire evidentiary hearing. Hearing Officer Freeman made an oral report to and conferred with the Police Board before it rendered its findings and decision.

POLICE BOARD FINDINGS

The Police Board of the City of Chicago, as a result of its hearing on the charges, finds and

¹The Hearing Officer Report sets forth a summary of the evidence presented at the hearing and includes information on witness credibility. The report is not meant to be a comprehensive statement of the evidence. The parties’ responses to the report are limited to addressing any material omissions or inaccuracies in the report (Police Board Rules of Procedure, Section III-G.) The Board considers only those portions of the responses that comply with its Rules of Procedure.

determines that:

1. The 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 the 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 in person and was represented by legal counsel.

Introduction

4. Respondent, who is now 40 years-old, was hired by the Chicago Police Department (CPD) in October 2012. After completing his training, he was assigned to work as a patrol officer in several of Chicago's highest-crime districts. He testified that gradually he became an alcoholic after repeatedly internalizing the abject poverty and graphic violence endemic to those neighborhoods.

Respondent admitted to all of the factual assertions that support the charges against him. The evidence he sought to elicit on cross-examination of the Superintendent's witnesses (primarily his cooperation in the investigation and his assumption of responsibility) as well as the witnesses and evidence he presented in his own case-in-chief, were intended for purposes of mitigating punishment only.

The undisputed evidence established at the hearing is as follows. On the afternoon or evening of Friday, April 17, 2015, Respondent was off-duty, in civilian clothes, and drove his mother's red pick-up truck to a two-flat that he and his wife owned at 1210 North 23rd Avenue, Melrose Park, Illinois. Respondent did not reside in the property, but instead was the landlord,

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renting the units to tenants. He had been using the detached garage behind the residence to do mechanical work on a car he intended to sell. The purpose of his visit to the two-flat on April 17, 2015, was to work on that car's engine.. He drove there alone and was armed with his service weapon, a Springfield Armory XDM 9mm semi-automatic handgun. He wore the gun in a pancake holster which hung from his right hip, but the holster was not attached securely to his belt. Respondent brought cases of beer with him. He acknowledged that when he went to the two-flat, he intended to become intoxicated and planned to drive his mother's car home when he finished the engine work.

One of his tenants, Hugo Martinez, had lived in the two-flat with his brother since 2013. Mr. Martinez had returned home from work that evening and had left his car parked in the alley on the garage's apron.

Once at the garage, Respondent in fact worked on the car while drinking beer. Respondent testified he does not recall how much beer he drank or for how long he was drinking, but knows that he became highly intoxicated. At approximately 10:55 p.m., while still inside of the garage, Respondent's gun discharged two or three times. Two bullets struck Mr. Martinez's passenger side quarter panel, below the car's rear door. When Respondent fired the shots, no one was in Mr. Martinez's car or otherwise near it in the alley. Mr. Martinez had been at home during the shooting, heard the shots, and later observed the bullet damage to his PT Cruiser. Martinez had never experienced any problems with Respondent and declined to press charges against him for criminal damage to his car.

Respondent described how the gun discharged accidentally. He stated that while working on the engine and drinking beer, his holster kept slipping forward to his groin area and banging

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into the car's fender. He pushed it back to his hip several times and after it kept happening, he grabbed at the holster to completely remove it from his body. Instead of grabbing the holster, he unintentionally grabbed his gun and pulled the trigger. He doesn't know how many shots he fired but knows he must have pulled the trigger separately to fire each shot. He explained that while his gun did not have a traditional toggle safety mechanism, one must firmly grip the gun and pull the trigger simultaneously in order for the gun to fire.

After discharging the gun, Respondent panicked and left the fired weapon, still loaded, on the front driver's seat of the car on which he had been working. He then exited the unlocked garage, entered his mother's truck, and began driving down the alley. Before he left the garage, he did not lock the garage door to prevent entry.

Melrose Park Police Officer Leslie Shankle (now a sergeant) testified that she and her partner were on duty about a block away from Respondent's garage when she heard three shots coming from the alley. She ran to the alley and observed Respondent enter the red pick-up truck and drive a distance of about five feet toward her before she ordered him to stop and put his vehicle in park. She did not observe anyone else near the garage or alley. During her interaction with Respondent, he admitted to Officer Shankle that he had fired his weapon, told her where the gun was located, and identified himself as a Chicago police officer. Observing that Respondent appeared intoxicated, Officer Shankle placed him under arrest. She later observed his gun where he'd left it, on the front seat of the car parked inside of the garage, as well as two bullet holes in Mr. Martinez's car, several cases of beer in the open bed of Respondent's mother's truck, and a beer case and empty cans both inside and outside of the garage. She believes the overhead garage door was closed when she first saw it. She testified that Respondent was cooperative at all times during his arrest.

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After Respondent was arrested, Melrose Park Police Officer Jesus Tejada processed and photographed the scene. He recovered Respondent's gun as well as two fired cartridge cases and a 9mm slug from the alley, outside of the closed overhead garage door, near Mr. Martinez's car. There were no bullet holes in the overhead door or wall, proving that the shots were fired while the door was open. Subsequent lab testing showed that the recovered cartridge cases were fired from Respondent's gun.

On April 18, 2015, at 3:47am, Respondent voluntarily submitted to blood alcohol testing, which showed he had a blood alcohol concentration at that time of .185 g/dl. Respondent stipulated to the accuracy of the testing as well as to retrograde extrapolation results that showed his blood alcohol concentration would have been between .233 and .282 g/dl at the time he discharged his weapon. Sergeant Majed Assaf, who performed the testing, testified that Respondent was cooperative and apologetic while being tested.

Officer Trak Silapaduriyang ("Officer Trak"), a senior instructor at the CPD Training Academy, testified about the firearms safety training and annual refresher courses that all police officers, including Respondent, are required to undergo at the Academy. He also specifically described the training that officers receive in Directive U04-02 section II(C) (prohibiting police officers from carrying firearms during non-duty hours when there is a likelihood that they will be consuming alcoholic beverages), and section X (requiring officers to secure their duty firearm when it is not on their person). He explained that when an officer is not wearing his weapon, he must secure it in one of two ways: with a trigger locking mechanism requiring a key to unlock it, or in a "safe box" locked with a key. He also described how alcohol impairment can cause mental and physical impairment in critical decision making.

In his own case-in-chief, Respondent testified in mitigation and called three witnesses to

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testify on his behalf: Brenda Diaz (his wife), Retired CPO John Miller (his AA sponsor), and F.O.P. Field Representative John Farrell.

Respondent's own mitigation testimony focused on his gradual decline into alcoholism, his immediate acceptance of responsibility for his conduct, his cooperation with the investigators in this case, his continued success in his personal life through managing his disease, and his readiness to again assume regular duties as a Chicago police officer. He testified that four days after his arrest, he sought treatment for his alcohol addiction. He successfully completed a seven-week-long intensive daily outpatient program at Presence Health in June of 2015, and thereafter attended Alcoholics Anonymous ("AA"), a program specifically for police officers called "No-Cop-Outs," and CPD's Employee Assistance Program ("EAP"). He has not consumed any alcoholic beverages since the night of the incident and believes he is now better equipped to handle the job. He maintained that should his work as a police officer threaten to trigger a relapse, his AA sponsor, John Miller, will be his chief means of support.

Respondent testified he "continues" to attend AA and No-Cop-Outs meetings though "just not as much as before." He later admitted that he had not attended any meetings in the four months between his suspension and the hearing.

Brenda Diaz testified that Respondent is a great husband and father to their two young boys. She described him as a nice, funny, and humble guy who loves to help people and whose dream was to become a police officer. She testified that when she first met him, he was a social drinker, but that after he became a police officer, he started drinking more and more frequently until he drank every day and by himself. Their relationship deteriorated and she was ready to leave him, but after his arrest he sought help for his addiction and is back to the man she first met. She

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testified she has not seen him drink alcohol since the day of the incident.

John Miller, a retired Chicago police officer and Viet Nam veteran, testified that he became Respondent's AA sponsor in April 2015, and that Respondent has been very successful in maintaining his sobriety. Miller initially testified that he and Respondent both go to No-Cop-Outs meetings, but later in his testimony acknowledged that since summer 2019, Miller did not know whether Respondent was attending meetings or not. He stated that Respondent has been a little more distant since he was suspended from CPD, and Miller attributed this to the fact that Respondent, "...was going through a lot of emotional – lost his job... went into a no-pay status,... he's got a car that broke down... just having just a tough life, probably the last year or so." When told that Respondent had not attended a meeting since August, Miller stated that this did not concern him because Miller has phone contact with Respondent at least twice weekly and he knows that Respondent takes care of his kids and is "transportation challenged" by having only one car.

Miller stated he believes Respondent could now handle being reinstated as a police officer and assigned to work in the poor and violent neighborhoods that triggered Respondent's alcoholism in the first place. Miller contended that if Respondent was returned to duty, he would talk to Respondent often and make sure that Respondent attends meetings.

John Farrell testified that he retired as a captain from CPD and since 2011 has worked as an independent contractor for the police union. Farrell met Respondent on the day of the incident at the Melrose Park Police Department and testified that Respondent was very cooperative and very upset with himself, admitting he had made a mistake, got drunk, and accidentally discharged his weapon. Respondent expressed his desire to get help and sought help immediately. Farrell has remained in contact with him and testified that he believes Respondent is ready to be a

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police officer again because he was a young officer who made a mistake and was seeking help. Farrell believes Respondent has set an excellent example for other officers who can see Respondent's success in maintaining his sobriety and would be a productive asset to the police department.

Farrell also gave testimony about accidental weapon discharges. He explained that in his experience, it is fairly common for officers to accidentally discharge multiple shots because when someone unintentionally fires a gun, it jerks, usually upwards, and surprises the shooter. The shooter feels he is losing control of the weapon and then automatically tends to hold the gun with a tighter grip which results in a second discharge.

Respondent submitted several exhibits showing his participation in the various substance-abuse programs. One of these exhibits was a signed letter from Presence Health (Respondents Exhibit #3) which shows he completed their intensive outpatient program. Additionally, it states that Respondent was not only "admitted for treatment of diagnosed Alcohol Use Disorder" but was also admitted for treatment for "Depressive Disorder, NOS" (not otherwise specified). Respondent did not present evidence at the hearing to show that he has received continued treatment for depression. Another of these exhibits was Respondent's AA/No-Cop-Outs attendance records (Respondent's exhibit # 5). The records show that Respondent's recorded meeting attendance diminished markedly as time went on; He attended 79 total meetings in 2015, nine meetings in 2016, and five meetings in 2017. The last date that his attendance is recorded on the sheets is April 27, 2017, more than two years before he was suspended. An additional exhibit, an undated letter from EAP Patrolman/Substance Abuse Counselor Martin Ridge (Respondent's Exhibit # 4), describes Respondent's successful past participation in EAP, the Presence Health intensive

outpatient program, No-Cops-Out meetings, and regular AA meetings. In his letter, however, Ridge also states, "I continue to see Eddie in my office and at meetings on a weekly basis..."

Charges Against the Respondent

5. The Respondent, Police Officer Ediberto Diaz, Star No. 10299, charged herein, is **guilty** of violating Rule 2 and Rule 15 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about April 18, 2015, at approximately 3:47 a.m., in the vicinity of 1 North 19th Avenue, Melrose Park, Illinois (Melrose Park Police Department), while off duty, Officer Diaz was intoxicated and/or had a Blood Alcohol Concentration reading of approximately .185. Officer Diaz 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 15, which prohibits intoxication on or off duty.

See the findings set forth in paragraph no. 4 above, which are incorporated herein by reference. At the hearing, Respondent stipulated to the accuracy and results of the field sobriety and Breathalyzer testing administered by Sergeant Majed Assaf. Those results show that on the date, time, and at the location specified in this charge, Respondent was intoxicated, with a blood alcohol concentration of .185, more than twice the legal limit. The Chicago Police Department Rules and Regulations, Article I Standards of Conduct, Sec. B. 17, requires, inter alia, that, "Every (police officer) member must...be constantly aware that while technically off duty he is subject to respond to any emergency requiring his service. The off duty use of intoxicants must therefore be moderate in order to allow the mental and physical requirements for immediate response. An off duty member under the influence of any intoxicant represents a danger to himself and to others and cannot, therefore, be permitted." Respondent's conduct thereby impeded the Department's efforts

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to achieve its policy and goals and brought discredit upon the Department.

6. The Respondent, Police Officer Ediberto Diaz, Star No. 10299, charged herein, is **guilty** of violating Rule 2 and Rule 6 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about April 17, 2015, at approximately 10:55 p.m., in the vicinity of 1210 North 23rd Avenue, Melrose Park, Illinois, while off duty, Officer Diaz possessed a firearm while knowing there was a likelihood that he would consume alcoholic beverages, and/or possessed a firearm while consuming alcoholic beverages. Officer Diaz 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 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying Uniform and Property Directive U04-02, "Department Approved Weapons and Ammunition," Section II-C (effective December 27, 2013).

See the findings set forth in paragraph nos. 4 – 5 above, which are incorporated herein by reference. Officer Trak testified that all officers, including Respondent, receive training in CPD Directive U04-02 section II(C), which prohibits officers from carrying firearms during non-duty hours when there is a likelihood that they will be consuming alcoholic beverages. Officer Trak also described how alcohol consumption can cause mental and physical impairment in critical decision making. It is undisputed that Respondent drove to the Melrose Park garage while possessing his loaded service weapon and brought several cases of beer with him. Indeed, Respondent testified that he went to the garage with the intent of becoming intoxicated. He described how he then drank for hours while working on his car and became highly intoxicated while wearing his gun in a pancake holster on his left hip. Therefore, by engaging in the conduct specified in this charge, Respondent impeded the Department's efforts to achieve its policy or goals and brought discredit

upon the Department.

7. The Respondent, Police Officer Ediberto Diaz, Star No. 10299, charged herein, is **guilty** of violating Rule 2 and Rule 38 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about April 17, 2015, at approximately 10:55 p.m., in the vicinity of 1210 North 23rd Avenue, Melrose Park, Illinois, while off duty and under the influence of alcohol, Officer Diaz discharged his service weapon one or more times into a vehicle. Officer Diaz 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 38, which prohibits unlawful or unnecessary use or display of a weapon.

See the findings set forth in paragraph nos. 4 – 6 above, which are incorporated herein by reference. Respondent admitted he became highly intoxicated and accidentally discharged his firearm into Mr. Martinez's vehicle, an unnecessary use of his weapon. As serving and protecting civilians' "life limb and property" is the central goal of the Chicago Police Department (Chicago Police Rules and Regulations Article II A), by damaging his tenant's vehicle and compromising the safety of others, Respondent impeded the Department's efforts to achieve its policy and goals and brought discredit on the Department.

8. The Respondent, Police Officer Ediberto Diaz, Star No. 10299, charged herein, is **guilty** of violating Rule 2 and Rule 6 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about April 17, 2015, at approximately 10:55 p.m., in the vicinity of 1210 North 23rd Avenue, Melrose Park, Illinois, while off duty, Officer Diaz failed to properly secure his service weapon (a Springfield Arms XDM 9mm semi-automatic handgun) when he removed the service weapon from his person, placed it in a vehicle in a garage, and left the garage

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without retrieving his service weapon. Officer Diaz 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 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying Uniform and Property Directive U04-02, "Department Approved Weapons and Ammunition," Section X (effective December 27, 2013).

See the findings set forth in paragraph nos. 4 – 7 above, which are incorporated herein by reference. Officer Trak testified that all officers, including Respondent, are trained in Uniform and Property Directive U04-02, "Department Approved Weapons and Ammunition," Section X, which requires officers to secure their duty firearm when it is not on their person. He explained that when an officer is not wearing his weapon, he must secure it in one of two ways: with a trigger locking mechanism requiring a key to unlock it, or in a "safe box" locked with a key. Respondent admitted that after his gun accidentally discharged, he left the fired weapon, still loaded, on the front driver's seat of the car on which he had been working and then exited the garage without locking the garage door to prevent entry. As protecting others from bodily harm is a fundamental purpose of the Chicago Police Department, by failing to properly secure his weapon and risking the safety of others, Respondent impeded the Department's efforts to achieve its policy and goals and brought discredit upon the Department.

9. The Respondent, Police Officer Ediberto Diaz, Star No. 10299, charged herein, is **guilty** of violating Rule 1, Rule 2, and Rule 15 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about April 17, 2015, at approximately 10:55 p.m., in the vicinity of 1210 North 23rd Avenue, Melrose Park, Illinois, while off duty, Officer Diaz drove a vehicle while under the influence of alcohol and/or drove a vehicle while intoxicated. Officer Diaz thereby violated:

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- a. Rule 1, which prohibits violation of any law or ordinance, by violating Section 11-501 of the Illinois Criminal Code (625 ILCS 5/11-501(a)(1) (West 2016));
- 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; and
- c. Rule 15, which prohibits intoxication on or off duty.

See the findings set forth in paragraph nos. 4 – 8 above, which are incorporated herein by reference. While Respondent testified that he was so drunk he could not recall driving his mother's truck after leaving the gun in the garage, Officer Shankle testified clearly that Respondent was driving toward her in the alley before she stopped him. The retrograde extrapolation, to which Respondent stipulated, shows that his blood alcohol concentration was more than three times the legal limit of .08 g/dl. He was clearly intoxicated and seen driving down the alley, albeit a short distance. Without question, when Respondent got behind the wheel while intoxicated, he risked his own safety and the safety of others, the antithesis of a police officer's sworn duty "to serve and protect." Respondent thus engaged in conduct that impedes the Department's efforts to achieve its policy and goals and brought discredit upon the Department.

Penalty

10. The Police Board has considered the facts and circumstances of the conduct of which it has found Respondent guilty and the evidence Respondent presented in his defense and mitigation, which includes the testimony of mitigation witnesses Brenda Diaz, retired Chicago police officer John Miller, and F.O.P. Field Representative John Farrell. In addition, the Board considered Officer Diaz's complimentary and disciplinary histories, which show that since he joined the Department in 2012 he has earned nine total awards (including one Department commendation, three emblems of recognition for physical fitness, and three honorable mentions) and has no

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sustained complaints on his disciplinary history.

Nevertheless, after thoroughly considering the Respondent's evidence in mitigation and service as a police officer, the Board finds that his accomplishments as an officer, his continued sobriety, and the positive evaluations of him do not mitigate the seriousness of his misconduct in this case. The Board finds that the Respondent's misconduct is incompatible with continued service as a police officer.

While the Board is heartened by Respondent's continued sobriety and success in turning his life around, the Board finds that returning him to duty, armed and authorized to use deadly force, poses an unacceptable risk to the safety of the public. No doubt, Respondent has been cooperative, contrite, and sober since his arrest nearly five years ago. The Board, however, finds that his demonstrated lack of judgment on April 17, 2015, and the potential danger his conduct posed to others indicate a gross disregard for public safety and a lack of judgment so serious as to warrant removing him from his position as a Chicago police officer.

This situation is markedly distinguishable from scenarios in which an officer suffering from addiction becomes intoxicated and simply behaves badly. In this case, Respondent's dangerous decisions and actions led to an alarming risk of harm to himself and to others:

- Before Respondent even began drinking that day, he decided to drive to the garage, get drunk, and then drive home while intoxicated;
- He drank a large quantity of beer and became highly intoxicated while armed with his loaded service weapon;
- After firing his weapon, he left his still-loaded weapon unsecured in an accessible garage;
and
- He attempted to leave the scene by driving his mother's car while highly intoxicated.

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While arguably his alcoholism led to these decisions, his conduct was so highly dangerous that it posed an enormous safety risk to himself, neighbors in the area, and to other motorists.

The evidence further shows that Respondent was simply lucky that his shots struck Mr. Martinez's car instead of hitting a person. The physical evidence indicates that the overhead garage door must have been open when Respondent discharged his weapon. Though Respondent was fortunate that there were no civilians known to be present in the alley at the time the shots were fired, the Board finds the fact the door was open to be relevant when assessing the potential harm Respondent's actions *could* have caused. Respondent's disregard for the law and for the safety of others was abundantly evident on April 17, 2015.

The Board finds that the Respondent's conduct is sufficiently serious to constitute a substantial shortcoming that renders his continuance in his 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 him to no longer occupy his office.

As the Board has noted in several of its recent decisions, the length of time for disciplinary cases to reach the Board is in many instances excessive. The Board continues to be deeply troubled by cases such as this, in which the charges arising from an April 2015 incident were filed with the Board in July 2019. Officer Diaz was relieved of his police powers the day after the incident. He received full pay and benefits for working as a police officer without police powers for the more than four years it took to bring these charges.² While the delay has no effect on the Board's decisions as to the facts or outcome of this case, it is noted for the purpose of providing another example of excessive delay to help ensure that keeping delays to a minimum continues to be a priority in resolving allegations of misconduct.

² There is no evidence in this case that the delay prejudiced Officer Diaz.

POLICE BOARD DECISION

The members of the Police Board of the City of Chicago who have participated in this disciplinary action hereby certify that they have read and reviewed the record of 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, Michael Eaddy, Steve Flores, Jorge Montes, John P. O'Malley Jr., Rhoda D. Sweeney, and Andrea L. Zopp) to 0 opposed, the Board finds the Respondent **guilty** of violating Rule 1, Rule 2, Rule 6, Rule 15, and Rule 38, as set forth in paragraph nos. 5 – 9 above.

As a result of the foregoing, the Board, by a vote of 7 in favor (Foreman, Eaddy, Flores, Montes, O'Malley, Sweeney, and Zopp) to 0 opposed, hereby determines that cause exists for discharging the Respondent from his 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 Respondent Police Officer Ediberto Diaz , Star No. 10299, as a result of having been found **guilty** of all charges in Police Board Case No. 19 PB 2960, be and hereby is **discharged** from his 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, Michael Eaddy, Steve Flores, Jorge Montes, John P. O'Malley Jr., Rhoda D. Sweeney, and Andrea L. Zopp.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 19th DAY OF MARCH, 2020.

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Attested by:

/s/ GHIAN FOREMAN
President

/s/ MAX A. CAPRONI
Executive Director

DISSENT

The following members of the Police 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 _____, 2020.

CHARLIE BECK
Interim Superintendent of Police