

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER GIANVERNICE CABRAL-RIVERA,) **No. 23 PB 3021**
STAR No. 4391, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
) **(CR No. 2020-0840)**
RESPONDENT.)

ORDER

On March 10, 2023 the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Gianvernice Cabral-Rivera, Star No. 4391 (hereinafter referred to as “Respondent”), recommending that Respondent be discharged from the Chicago Police Department for violating the Department’s Rules of Conduct (a copy of the charges is attached as Exhibit A).

On April 3, 2023, the Superintendent moved to withdraw the charges against Respondent without prejudice because Respondent resigned from the Chicago Police Department. The Police Board has considered the Superintendent’s motion.

IT IS HEREBY ORDERED that the Superintendent’s motion is **granted**, and the proceedings before the Police Board are terminated.

This Order is entered by a majority of the members of the Police Board: Ghian Foreman, Paula Wolff, Steven A. Block, Mareilé B. Cusack, Nanette Doorley, Michael Eaddy, Jorge Montes.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 20th DAY OF APRIL, 2023.

Police Board Case No. 23 PB 3021
Police Officer Gianvernice Cabral-Rivera
Order

Attested by:

/s/ GHIAN FOREMAN
President

/s/ MAX A. CAPRONI
Executive Director

Exhibit A

Charges

Attached are the charges filed with the Police Board by the Superintendent of Police. The public is reminded that the filing of charges is not evidence of guilt. The accused officer is presumed innocent and is entitled to a fair hearing at which the Superintendent has the burden of proving guilt by a preponderance of the evidence. In this case, the accused officer resigned from the Chicago Police Department prior to a full hearing on the charges.

CHARGES AGAINST OFFICER GIANVERNICE CABRAL-RIVERA

Officer Gianvernice Cabral-Rivera, Star Number 4391, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- Rule 1: Violation of any law or ordinance.
- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 8: Disrespect or maltreatment of any person, while on or off duty.
- Rule 14: Making a false report, whether written or oral.
- Rule 20: Failure to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department.
- Rule 25: Failure to actually reside within the corporate boundaries of the City of Chicago.
- Rule 26: Failure to provide the Department with a current address and telephone number.

SPECIFICATIONS

1. From in or about June 2018, through in or about February 4, 2020, on one or more dates therein, at or near the location of [REDACTED], Plainfield, Illinois 60586, Officer Cabral-Rivera engaged in an act of sexual conduct with a minor, approximately age 9 and/or age 10, to wit, touched her buttocks, and/or tugged and/or pulled her pants and/or her underwear away from her body, and/or touched her vagina while she lay in bed and/or pretended to be asleep, at which time he knew that the minor was unable to understand the nature of the act and/or was unable to give knowing consent. Officer Cabral-Rivera thereby violated:
 - a. Rule 1, violation of any law or ordinance, by violating one or more subsections/provisions of the Illinois Criminal Code, including Section 5/11-1.60(c)(1)(i) and/or Section 5/11-1.60(f) (*Aggravated Criminal Sexual Abuse*), and/or Section 5/11-1.50(2) (*Criminal Sexual Abuse*); and/or,

- b. Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department; and/or,
 - c. Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals; and/or,
 - d. Rule 8, disrespect or maltreatment of any person, while on or off duty.
2. From in or about August 2019, through in or about February 2020, at or near the location of [REDACTED], Plainfield, Illinois 60586, Officer Cabral-Rivera engaged in an act of sexual conduct with a minor, approximately age 9 and/or age 10, to wit, picked her up from her bed and carried her into her mother's bedroom and laid the minor on top of his body, and/or placed his legs on top of and/or around her legs, and/or restricted her movement, and/or touched her legs and/or inner thigh and/or upper thigh, and/or vagina while she pretended to be asleep, at which time he knew that the minor was unable to understand the nature of the act and/or was unable to give knowing consent. Officer Cabral-Rivera thereby violated:
- a. Rule 1, violation of any law or ordinance, by violating one or more subsections/provisions of the Illinois Criminal Code, including Section 5/11-1.60(c)(1)(i) and/or Section 5/11-1.60(f) (*Aggravated Criminal Sexual Abuse*), and/or Section 5/11-1.50(2) (*Criminal Sexual Abuse*); and/or,
 - b. Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department; and/or,
 - c. Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals; and/or,
 - d. Rule 8, disrespect or maltreatment of any person, while on or off duty.
3. On or about July 14, 2020, during a hearing in the 12th Judicial Circuit Court of Will County, Illinois, and while under oath, Officer Cabral-Rivera provided false testimony in one or more of the following instances: he answered "no" when asked "did you ever pick the child up and take her to her mother's room?," or words to that effect; and/or he answered "no" when asked "have you ever touched any of [E.V.'s] children in a sexual nature?," or words to that effect; and/or he answered "I didn't touch [I.G.]" when asked "did checking in on the kids involve touching [I.G.]?," or words to that effect; and/or he answered "no" when asked "tucking in [I.G] or checking in on her, did that involve touching her butt at any time?," or words to that effect; and/or he answered "no" when asked "did [tucking I.G.] in involve touching her anywhere inappropriately?" or words to that effect. Officer Cabral-Rivera thereby violated:
- a. Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department; and/or,

- b. Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals; and/or,
 - c. Rule 14, making a false report, whether written or oral.
- 4. In or about February 2020, Officer Cabral-Rivera failed to notify the Chicago Police Department in writing that he was the subject of a criminal investigation by the Joliet Police Department for the offense of "suspicious incident involving a minor." Officer Cabral-Rivera thereby violated:
 - a. Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department; and/or,
 - b. Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals; and/or,
 - c. Rule 20, failure to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department.
- 5. From in or about October 2018, through in or about February 2020, or for some period of time therein, Officer Cabral-Rivera resided at [REDACTED], Plainfield, Illinois 60586. Officer Cabral-Rivera thereby violated:
 - a. Rule 1, violation of any law or ordinance, to wit Title 2, Chapter 152, Section 050 of the Municipal Code of the City of Chicago ("Residence restrictions"); and/or,
 - b. Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department; and/or,
 - c. Rule 3, any failure to promote the Department's efforts to implement its policy or accomplish its goals; and/or,
 - d. Rule 25, failure to actually reside within the corporate boundaries of the City of Chicago.
- 6. In or about March 2020, Officer Cabral-Rivera failed to notify the Chicago Police Department of a change in address in a timely manner when he moved to the address of [REDACTED], Chicago, Illinois 60608. Officer Cabral-Rivera thereby violated:
 - a. Rule 2, any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department; and/or,
 - b. Rule 26, failing to provide the Department with a current address and telephone number.

Based on the foregoing charges and specifications, the Superintendent recommends that Officer Gianvernice Cabral-Rivera, Star Number 4391, be separated from the Chicago Police Department.



David O. Brown
Superintendent of Police

APPROVED AS TO FORM

/s/ Hillina Taddesse Tamrat

Hillina T. Tamrat
Deputy Corporation Counsel

FILED: March 10, 2023 POLICE BOARD Case No. 23 PB 3021
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