

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF THE SUSPENSION OF)
POLICE OFFICER BRIAN J. CAHILL,) No. 13 SR 2314
STAR No. 19478, DEPARTMENT OF POLICE,)
CITY OF CHICAGO.) (CR No. 1009860)

FINDINGS AND DECISION

On or about December 11, 2012, the Superintendent of Police ordered the suspension of Police Officer Brian J. Cahill, Star No. 19478, for twenty (20) days for violating the following

Rules of Conduct:

- 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 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

Officer Cahill received notification of this suspension on March 8, 2013. This suspension is being reviewed by the Police Board pursuant to Section 9.6A of the Agreement between the City of Chicago and the Fraternal Order of Police Lodge #7, which states in relevant part “In the event an officer does not make an election within ten (10) working days, the recommendation for suspension will be reviewed by the Police Board.”

The Executive Director of the Police Board assigned this matter to Hearing Officer Thomas E. Johnson. Hearing Officer Johnson reviewed the investigation file and submitted a written report to the Police Board.

The members of the Police Board reviewed the Summary Report of the investigation file, the Command Channel Review reports, and Hearing Officer Johnson’s report. Hearing Officer Johnson made an oral report to and conferred with the Police Board before it rendered its

findings and decision. (Board Members Melissa M. Ballate, Susan L. McKeever, and Elisa Rodriguez recused themselves from this case pursuant to §2-57-060(c) of the Municipal Code of Chicago.)

POLICE BOARD FINDINGS

The Police Board of the City of Chicago, as a result of its consideration of this matter, finds and determines that:

1. The allegation, set forth below, that Police Officer Brian J. Cahill, Star No. 19478, violated Rule 9 is supported by sufficient evidence to justify disciplinary action, and the allegation is therefore **sustained**.

On October 4, 2007, at approximately 1742 hours, at 3500 South Damen Avenue, Chicago, while on duty, Officer Cahill directed racial and derogatory comments at Cornelius Glover, Jesse Glover, and Orlando Hughes, including “boy,” “nigger,” and “You think because you have a job and education that I have to suck your dick.”

Immediately following a traffic stop by two Chicago police officers, Cornelius Glover registered a complaint of misconduct with the Independent Police Review Authority (IPRA). He, Jesse Glover, and Orlando Hughes gave statements to IPRA soon after the incident. The complainant and witnesses identified Officer Cahill by his name on the traffic tickets he issued and the beat number on his car. Jesse Glover and Orlando Hughes picked Officer Cahill out of a photo array. According to the Glovers and Mr. Hughes, during the traffic stop Officer Cahill repeatedly referred to them in racist terms and directed derogatory comments toward them, and grabbed Jesse Glover by the shirt and pushed him up against the car. After handcuffing Jesse Glover, and searching the car, Officer Cahill issued Mr. Hughes two traffic tickets and released them all.

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Officer Cahill, in his April 16, 2008, statement to IPRA, stated that he could not recall any encounter with these victims, could not recall issuing the tickets, and could not recall being at that location. He denied all of the allegations. His partner also stated to IPRA that he could not recall being involved in this traffic stop and denied the allegations.

The Board finds credible the complainant's and witnesses' account of the incident, and finds not credible Officer Cahill's denial of the allegations.

2. The allegation, set forth below, that Police Officer Brian J. Cahill, Star No. 19478, violated Rule 8 is supported by sufficient evidence to justify disciplinary action, and the allegation is therefore **sustained**.

On October 4, 2007, at approximately 1742 hours, at 3500 South Damen Avenue, Chicago, while on duty, Officer Cahill grabbed Jesse Glover by his shirt and pushed him against a car.

See the findings set forth in paragraph no. 1 above, which are incorporated here by reference.

3. The allegation, set forth below, that Police Officer Brian J. Cahill, Star No. 19478, violated Rule 2 is supported by sufficient evidence to justify disciplinary action, and the allegation is therefore **sustained**.

On October 4, 2007, at approximately 1742 hours, at 3500 South Damen Avenue, Chicago, while on duty, Officer Cahill directed racial and derogatory comments at Cornelius Glover, Jesse Glover, and Orlando Hughes, and grabbed Jesse Glover by his shirt and pushed him against a car.

See the findings set forth in paragraph no. 1 above, which are incorporated here by reference.

4. The Police Board has considered the facts and circumstances of Officer Cahill's conduct, and his complimentary and disciplinary histories. Officer Cahill, while on duty, physically maltreated a citizen, and verbally abused him and two others. Officer Cahill's demeaning and unprofessional actions are serious offenses, and the twenty-day suspension ordered in this case is not unwarranted.

POLICE BOARD DECISION

The Police Board of the City of Chicago hereby adopts the findings set forth herein by the following votes:

By votes of 6 in favor (Demetrius E. Carney, Ghian Foreman, William F. Conlon, Michael Eaddy, Rita A. Fry, and Rhoda D. Sweeney) to 0 opposed, the Board sustains the allegations that Police Officer Brian J. Cahill violated Rule 2, Rule 8, and Rule 9.

As a result of the foregoing, the Board, by a vote of 6 in favor (Carney, Foreman, Conlon, Eaddy, Fry, and Sweeney) to 0 opposed, hereby determines that cause exists for suspending Police Officer Brian J. Cahill from his position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period of twenty (20) days.

NOW THEREFORE, IT IS HEREBY ORDERED that the suspension of Police Officer Brian J. Cahill, Star No. 19478, for a period of twenty (20) days is **sustained**.

This disciplinary action is adopted and entered by a majority of the members of the Police Board: Demetrius E. Carney, Ghian Foreman, William F. Conlon, Michael Eaddy, Rita A. Fry, and Rhoda D. Sweeney.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 20th DAY OF MARCH, 2014.

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Attested by:

/s/ Demetrius E. Carney
President
Police Board

/s/ Max A. Caproni
Executive Director
Police Board

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 _____, 2014.

GARRY F. McCARTHY
Superintendent of Police