

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF THE SUSPENSION OF)
POLICE OFFICER KERRY LITTLE,) **No. 14 SR 2320**
STAR No. 15888, DEPARTMENT OF POLICE,)
CITY OF CHICAGO.) **(CR No. 1050302)**

FINDINGS AND DECISION

On or about February 24, 2014, the Superintendent of Police ordered the suspension of Police Officer Kerry Little, Star No. 15888, for fifteen (15) days for violating the following Rule of Conduct:

Rule 24: Failure to follow medical roll procedures.

On February 28, 2014, Officer Little filed with the Police Board a request for Police Board review of this suspension. On March 6, 2014, Officer Little filed with the Police Board a memorandum delineating specific reasons for which the review was requested.

The Executive Director of the Police Board assigned this matter to Hearing Officer Jacqueline A. Walker. Hearing Officer Walker 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 recommendations of Command Channel Review and the Chief of the Bureau of Internal Affairs, Officer Little's memorandum, and Hearing Officer Walker's report. Hearing Officer Walker 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 consideration of this matter, finds and determines that:

Police Board Case No. 13 SR 2320
Police Officer Kerry Little
Findings and Decision

1. The allegation, set forth below, that Police Officer Kerry Little, Star No. 15888, violated Rule 24 is supported by sufficient evidence to justify disciplinary action, and the allegation is therefore **sustained**.

On October 19, 2011, Police Officer Kerry Little failed to report to the Medical Services Section for a follow-up appointment as scheduled, and did not report or contact the Medical Services Section until November 28, 2011.

Sergeant Eileen Guest submitted a report indicating that Officer Little, who was on the medical roll, was scheduled to report to the Medical Services Section on October 19, 2011, for a follow-up appointment, and that he failed to appear. Sergeant Guest further reported that Officer Little did not contact the Medical Services Section until November 28, 2011. Sergeant Rodney Smith of the Medical Integrity Unit confirmed Sergeant Guest's report.

Additionally, on November 28, 2011, Officer Little was decertified from the Medical Roll because of the 41 days between October 19, 2011 and November 28, 2011, when he failed to appear at the Medical Services Section. Officer Little was subsequently recertified on December 6, 2011, when he submitted the necessary documentation.

Officer Little stated that he was the victim of an armed robbery just after midnight on October 19, 2011. He also stated that he phoned the Medical Services Section at 7:32 that morning and left a detailed voice-mail message for Officer Neary, and that he never heard back from anyone in the Medical Services Section. The Board finds that neither of these circumstances justifies Officer Little's failure to contact the Medical Services section for 41 days.

2. The Police Board has considered the facts and circumstances of Officer Little's conduct, and his complimentary and disciplinary histories.

Chicago police officers receive full pay and benefits for a period of absence from work due to illness or injury, provided such illness or injury is certified by the Medical Services Section. Officer Little shirked his duty to report promptly to the Medical Services Section, thereby undermining the integrity of the process for providing officers with this important benefit. His failure to report is a serious offense, and the fifteen-day suspension recommended 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 vote:

By a vote of 8 in favor (Demetrius E. Carney, Ghian Foreman, Melissa M. Ballate, William F. Conlon, Michael Eaddy, Rita A. Fry, Susan L. McKeever, and Elisa Rodriguez) to 0 opposed, the Board sustains the allegation that Police Officer Kerry Little violated Rule 24.

As a result of the foregoing, the Board, by a vote of 7 in favor (Carney, Foreman, Conlon, Eaddy, Fry, McKeever, and Rodriguez) to 1 opposed (Ballate), hereby determines that cause exists for suspending Police Officer Kerry Little 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 fifteen (15) days.

NOW THEREFORE, IT IS HEREBY ORDERED that the suspension of Police Officer Kerry Little, Star No. 15888, for a period of fifteen (15) 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, Susan L. McKeever, and Elisa Rodriguez.

Police Board Case No. 13 SR 2320
Police Officer Kerry Little
Findings and Decision

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 15th DAY
OF MAY, 2014.

Attested by:

/s/ Demetrius E. Carney
President

/s/ Max A. Caproni
Executive Director

DISSENT

I dissent from the Decision of the majority of the Board with regard to the penalty. Based on the facts of this case and the lack of any prior discipline of Officer Little, I find that the 15-day suspension is not warranted, and I vote to reduce the length of the suspension.

/s/ Melissa M. Ballate

RECEIVED A COPY OF

THESE FINDINGS AND DECISION

THIS ____ DAY OF _____, 2014.

GARRY F. McCARTHY
Superintendent of Police