

**BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO**

**IN THE MATTER OF CHARGES FILED AGAINST )**  
**POLICE OFFICER PATRICK BROWN, )** **No. 22 PB 3007**  
**STAR No. 14709, DEPARTMENT OF POLICE, )**  
**CITY OF CHICAGO, )**  
**)**  
**)** **(CR No. 2019-1849)**  
**RESPONDENT. )**

**FINDINGS AND DECISION**

On August 31, 2022, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Patrick Brown, Star No. 14709 (“Respondent”), recommending that Respondent be discharged from the Chicago Police Department (“Department” or “CPD”) for violating CPD’s Rules of Conduct.

A hearing on the charges against Respondent took place before Hearing Officer Michael Panter on September 18 and 19, 2023. 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 Superintendent’s response to this report (Respondent did not file a response to this report), and viewed the video recording of the entire evidentiary hearing. The Hearing Officer made an oral report to and conferred with the Board before it rendered its findings and decision.

During the proceedings of this case, from the filing of charges through the evidentiary hearing, the Hearing Officer made rulings and entered orders. None of the Hearing Officer’s rulings and orders is overruled or reversed.

**POLICE BOARD FINDINGS**

As a result of its hearing on the charges, the Police Board finds and determines that:

1. Respondent was at all times mentioned herein a police officer of the CPD in the classified civil service 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 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 and was represented by legal counsel.

#### **FOP Motion**

4. On August 11, 2023, the Fraternal Order of Police Lodge 7 filed with the Police Board a Motion to Transfer Pending Cases to the Arbitration Call or in the Alternative to Stay All Police Board Cases (“FOP Motion”). This case against Respondent is one of the 22 cases listed on the FOP Motion. On September 26, 2023, the Police Board entered an Order denying the FOP Motion in its entirety.

#### **Introduction**

5. On the night of May 25, 2019, during the Memorial Day weekend, Respondent was driving a 2005 GMC police van westbound on West Division Street with six other officers, responding to an emergency call. The van was a large vehicle with bench seating that could hold twelve people. Another police vehicle, an unmarked Ford Explorer, was travelling northbound on North Laramie Avenue, responding to the same emergency call. The intersection of Division and Laramie is controlled by a traffic light, which was red for Respondent and green for the other police vehicle. The posted limit is 30 miles per hour. Respondent approached the intersection

Police Board Case No. 22 PB 3007  
Police Officer Patrick Brown  
Findings and Decision

five seconds before impact at 43 miles per hour. The police vehicle coming from his left had also been speeding. Both vehicles had their sirens and lights on as they approached the intersection. All other cars at the intersection were stopped. Neither driver saw the other as they approached. One second before impact, Respondent braked to 28 miles per hour. The other vehicle also braked, down to 36 miles per hour. The resulting collision was extremely heavy and both police vehicles, as well as others, were severely damaged. There were multiple injuries and a civilian death.

The Department had no system to track the vehicles. The dispatcher could not inform the drivers of the location of any other responding vehicle. Neither vehicle had the ability to change the traffic lights as they went through the intersection. Each driver was expected to use due care in responding to the call. Just before approaching the intersection, the dispatcher called to all vehicles that the “emergency” call had been downgraded to a “slowdown,” meaning, still respond, but no longer with urgency.

Superintendent’s Position. The Superintendent argues that Respondent did not use requisite care in responding to the emergency call. The key to responding effectively is to arrive safely. Respondent chose to go through a red light without paying proper attention to oncoming vehicles. He should have slowed down and looked more thoroughly as he approached the red light. Respondent should have known that other police vehicles would be responding to the emergency call. He saw other police units in the area going in different directions. Although all civilian vehicles were stopped, Respondent should have considered that another emergency vehicle might be proceeding through the intersection on a green light. Respondent should have been aware that more caution was required since it was a very busy and dark evening. He should have paid more attention to his radio to hear the “slowdown” order which was repeated several

times. If he could not hear because of the noise in the car, he should have instructed his passengers to keep quiet while he listened. Respondent should have been more aware of the reduced braking capabilities of the vehicle he was operating and had been driving on his shift for seven hours. The Superintendent argues that Respondent's negligence caused extensive property damage, injuries, and a tragic death.

Respondent's Position. Respondent acknowledged he made a mistake. Some extenuating circumstances were mentioned to show that the collision was a perfect storm of unfortunate events. A fraction of a second would have made the difference. The other police vehicle was also speeding, also may not have heard the slowdown order, and also did not see Respondent's vehicle. That unmarked car was dark and lacked large oscillating lights on top. It was going eight miles per hour faster than the Respondent's car at impact and was still speeding. Respondent testified he was slowing down, trying to be cautious and, as far as he could tell, everyone had stopped for him. Because both police vehicles were swerving around cars stopped in the intersection, they were each difficult for the other to see. Respondent argued, "Nobody would have expected that the tact car would cut in front of all of that northbound traffic, go into the left-turn lane and proceed northbound into--across Division at a speed that was excessive, at the worst actual moment with limited exterior emergency lighting, location, time, and speed." Respondent took on the driving role when the other officers with him would not; the fourteen-year-old vehicle he was assigned had less than optimal responsive braking and Respondent had no training and no experience driving it. It was chaotic and noisy in Respondent's van as each of the passengers' radios were receiving the call and sirens were blasting. He and his passengers were eager to respond because they could hear the voice of an officer in trouble and "he sounded

panicked and frantic.” Respondent said his mindset went to “ten” when he heard it. He said each time they approached an intersection, he asked the others in his van if it was clear.

The Superintendent charged Respondent with violating Rules 1, 2, 3, 6, and 10 of CPD’s Rules of Conduct. Specifically, that Respondent exceeded the maximum speed limit of 30 miles per hour and failed to slow down and first determine it was reasonable and safe to proceed through a red light signal, failed to exercise care to avoid endangering life or property, failed to adhere to basic traffic safety practices, and failed to drive with due regard for the safety of all persons.

### **Charges Against Respondent**

6. Police Officer Patrick Brown, Star No. 14709, is **guilty** of violating Rules 1, 2, 3, 6, and 10 in that the Superintendent proved by a preponderance of the evidence the following charges set forth in Specification No. 1:

On or about May 25, 2019, at approximately 9:55 p.m., while driving a CPD passenger van from the vicinity of North Kostner and West Wabansia Avenues to the vicinity of West Division Street and North Laramie Avenue in Chicago, Officer Patrick Brown exceeded the maximum speed limit of 30 miles per hour at one or more points on urban streets with pedestrian and/or vehicular traffic, and/or failed to exercise care to avoid endangering life or property, and/or failed to adhere to basic traffic-safety practices, and/or failed to drive with due regard for the safety of all persons. At or near the intersection of West Division Street and North Laramie Avenue, the CPD van Officer Brown was driving collided with an unmarked CPD Ford Explorer, which rolled over and struck a civilian Nissan Versa, which struck a civilian Honda Civic, which then struck a Jeep Wrangler, resulting in the death of a civilian and injuries to others. Officer Brown thereby violated:

- a. Rule 1, which prohibits violation of any law or ordinance, by violating Sections 5/11-601 and 5/11-205 of the Illinois Vehicle Code;
- 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;
- c. Rule 3, which prohibits any failure to promote the Department’s efforts to implement

Police Board Case No. 22 PB 3007  
Police Officer Patrick Brown  
Findings and Decision

its policy or accomplish its goals;

- d. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying CPD General Order G03-03, including but not limited to Section III, and CPD General Order G03-03-02, including but not limited to Section III; and
- e. Rule 10, which prohibits inattention to duty.

See the findings set forth in Section No. 5 above, which are incorporated here by reference.

The Board finds that the Superintendent has proven the charges in this and the following specification. Respondent was travelling too fast on a busy city street, and he drove through a red light unsafely. Respondent made a very serious mistake by not slowing down and exercising due care before proceeding through the intersection on a red light. None of the arguments cited by Respondent excuses his failure to drive with due regard for the safety of others. Respondent knew or should have known that there were other emergency vehicles in the area, and he knew or should have known that others would be responding to the emergency call. If Respondent had difficulty seeing the intersection as he approached, he had even more reason to slow down and be careful. If he were unfamiliar with his vehicle, he had still more reason to use caution. It was ultimately Respondent's responsibility, as the driver, to hear what was coming over the radio, including the slowdown order. The actions of the other responding vehicle do not absolve Respondent of his responsibilities—it was Respondent who proceeded through a red light without due care. Respondent has acknowledged that he made a serious mistake which resulted in the death of an innocent civilian.

7. Police Officer Patrick Brown, Star No. 14709, is **guilty** of violating Rules 1, 2, 3, 6, and 10 in that the Superintendent proved by a preponderance of the evidence the following

charges set forth in Specification No. 2:

On or about May 25, 2019, at approximately 9:55 p.m., while driving a CPD passenger van from at or near 1200 North Laramie Avenue in Chicago, Officer Patrick Brown proceeded past a red light signal into the intersection of West Division Street and North Laramie Avenue and failed to slow down as was required and necessary for safe operation, and/or failed to first determine that it was reasonable and safe to proceed, and/or failed to drive with due regard for the safety of all persons, and/or failed to adhere to basic traffic-safety practices. At or near the intersection of West Division Street and North Laramie Avenue, the CPD van Officer Brown was driving collided with an unmarked CPD Ford Explorer, which rolled over and struck a civilian Nissan Versa, which struck a civilian Honda Civic, which then struck a Jeep Wrangler, resulting in the death of a civilian and injuries to others. Officer Brown thereby violated:

- a. Rule 1, which prohibits violation of any law or ordinance, by violating Section 5/11-205 of the Illinois Vehicle Code;
- 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;
- c. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;
- d. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, by disobeying CPD General Order G03-03, including but not limited to Section III, and CPD General Order G03-03-02, including but not limited to Section III; and
- e. Rule 10, which prohibits inattention to duty.

See the findings set forth in Section Nos. 5 and 6 above, which are incorporated here by reference.

### **Disciplinary Action**

8. The Board has considered the facts and circumstances of the conduct of which it has found Respondent guilty and the evidence he presented in mitigation.

Respondent expressed extreme contrition for his failures. He called it the worst day of his life and said he lives with it every day. He called three witnesses in mitigation. All spoke very highly of him as a person and an officer. All emphasized his caring and concern for others.

Police Board Case No. 22 PB 3007  
Police Officer Patrick Brown  
Findings and Decision

Respondent comes from a family of officers. He made clear that he is eager to return to service and show he can do better. "I want to rectify that by doing a thousand more positives than the negative that happened here." Since joining CPD in October 2016, Respondent has earned a total of nine awards, including one Department Commendation, one Unit Meritorious Performance Award, and six Honorable Mentions; his disciplinary history report shows no sustained complaints.

After considering thoroughly Respondent's evidence in mitigation, the Board finds that his accomplishments and the positive evaluations of him do not fully mitigate the seriousness of his misconduct. Respondent's violations of traffic laws and CPD policy and his failure to drive with due regard for the safety of others caused a multi-vehicle collision that killed one person and injured several others. Respondent's conduct warrants severe disciplinary action.

Nevertheless, the Board notes that Respondent recognizes his mistakes and finds that he has taken his actions and the consequences of his actions to heart. Respondent has an otherwise good record as a police officer and has received retraining as a result of this incident. The Board believes that Respondent has learned from this single serious lapse in judgment and that he can go forward and serve the City as a good officer who learns from his mistakes.

Taking into account all the evidence, including the evidence in mitigation, the Board finds that a suspension without pay of two (2) years is appropriate discipline on the facts of this particular case.

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**POLICE BOARD DECISION**

The members of the Police Board of the City of Chicago hereby certify that they have read and reviewed the record of the 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 (Paula Wolff, Steven Block, Mareilé Cusack, Nanette Doorley, Michael Eaddy, Ghian Foreman, and Andreas Safakas) to 0 opposed, the Board finds Respondent **guilty** of the charges set forth in Specification Nos. 1 and 2, as set forth above.

As a result of the foregoing and for the reasons set forth above, the Board, by a vote of 5 in favor (Wolff, Block, Cusack, Doorley, and Safakas) to 2 opposed (Eaddy and Foreman), hereby determines that cause exists for suspending Respondent from his position as a police officer and from the services of the City of Chicago for a period of two (2) years.

**NOW THEREFORE, IT IS HEREBY ORDERED** that Police Officer Patrick Brown, Star No. 14709, having been found guilty of all charges in Police Board Case No. 22 PB 3007, be and hereby is **suspended without pay** from his position as a police officer and from the services of the City of Chicago, for a period of **two (2) years**, from September 14, 2022, (the date he was suspended upon the filing of charges) to and including September 13, 2024.

This disciplinary action is adopted and entered by a majority of the members of the Police Board: Paula Wolff, Steven Block, Mareilé Cusack, Nanette Doorley, and Andreas Safakas. (Kyle Cooper, who joined the Board on December 13, 2023, did not participate in this case. Aja Carr-Favors recused herself from this case to avoid the appearance of a conflict of interest.)

Police Board Case No. 22 PB 3007  
Police Officer Patrick Brown  
Findings and Decision

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 21<sup>ST</sup> DAY  
OF DECEMBER, 2023.

Attested by:

/s/ PAULA WOLFF  
Vice President

/s/ MAX A. CAPRONI  
Executive Director

**DISSENT**

I concur with the majority's findings that Respondent is guilty of all charges but respectfully dissent from the majority's decision regarding discipline. I find that more severe discipline—a three-year suspension—is warranted based on the tragic consequences of Respondent's failure to drive safely.

MICHAEL EADDY

**DISSENT**

I concur with the majority's findings that Respondent is guilty of all charges but respectfully dissent from the majority's decision regarding discipline.

Respondent testified to the extreme urgency of responding to the call for help from a fellow officer. Officers responding to calls for assistance by other officers still have a duty to exercise due care and caution. Respondent's failure to do so caused the death of an innocent civilian. I find that Respondent's decision-making that night and his failure to follow traffic laws and CPD policy indicates a gross disregard for the safety of members of the public and a lack of judgment so serious as to warrant his discharge from the CPD.

GHIAN FOREMAN

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RECEIVED A COPY OF

THESE FINDINGS AND DECISION

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

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LARRY SNELLING  
Superintendent of Police