

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER BRODERICK J. SNELLING,) **No. 14 PB 2858**
STAR No. 19468, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
) **(CR No. 1017101)**
RESPONDENT.)

FINDINGS AND DECISION

On April 29, 2014, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Broderick J. Snelling, Star No. 19468 (hereinafter sometimes referred to as “Respondent”), recommending that the Respondent be discharged from the Chicago Police Department 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 14: Making a false report, written or oral.

Rule 26: Failure to provide the Department with a current address and telephone number.

The Police Board caused a hearing on these charges against the Respondent to be had before Jacqueline A. Walker, Hearing Officer of the Police Board, on October 7, 22, and 30, 2014.

Following the hearing, the members of the Police Board read and reviewed the record of the proceedings and viewed the video-recording of the testimony of the witnesses. 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 hearing on the charges, finds

and 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. The written charges, and a Notice stating when and where a hearing on the charges was to be held, were served upon the Respondent more than five (5) days prior to the hearing on the charges.

3. Throughout the hearing on the charges the Respondent appeared in person and was represented by legal counsel.

4. The Respondent, Police Officer Broderick J. Snelling, Star No. 19468, charged herein, is **not guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count I: On or about December 4, 2009, Police Officer Broderick J. Snelling failed to cooperate with an Internal Affairs investigation regarding an unpaid ComEd bill at [xxxxx] S. Parnell in that he failed to submit the following documents to Police Agent Maria Martin of the Internal Affairs Division: (1) ComEd service history for service at [xxxx] S. Claremont for the past four years or a letter from ComEd stating how long Officer Snelling had service at [xxxx] S. Claremont; and/or (2) a lease for Officer Snelling's tenant, Lavinia Prince, for the address of [xxxxx] S. Parnell; and/or (3) gas bills and cell phone bills addressed to [xxxx] S. Claremont for the past four years or a letter from Officer Snelling's cell phone provider or gas provider, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Convincing testimony was given by Police Officer Snelling that when asked by Police Agent Maria Martin to submit certain documents regarding [xxxx] South Claremont and [xxxxx] South Parnell, Officer Snelling did make an attempt to obtain these documents, but was unable to obtain the requested documents. Furthermore, Police Agent Martin confirmed in her

testimony that Officer Snelling told her he was unable to obtain the requested documents.

Additionally, Officer Snelling testified that he did bring in certain documents to support his residency at the address of [xxxx] South Claremont.

The Board finds that there is insufficient evidence to prove that Officer Snelling, by not submitting the documents requested by Agent Martin, intentionally failed to cooperate with the Internal Affairs investigation.

5. The Respondent, Police Officer Broderick J. Snelling, Star No. 19468, charged herein, is **not guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count II: On or about July 30, 2008, July 9, 2009, and/or November 18, 2009, during interviews with the Internal Affairs Division regarding an unpaid ComEd bill at [xxxxx] S. Parnell, Police Officer Broderick J. Snelling falsely stated that he resides at [xxxx] S. Claremont, or words to that effect, and/or he never lived at [xxxxx] S. Parnell, or words to that effect, and/or he has lived at [xxxx] S. Claremont for nine or ten years, or words to that effect, when, in fact, he resided at [xxxxx] S. Parnell from at least in or around 2006 to the present, or for some period of time therein, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Respondent presented unrefuted testimony by Darryl Boyd, a resident of [xxxx] South Claremont, who testified that Officer Snelling lived next door to him at [xxxx] South Claremont Avenue. Boyd testified further that he has interacted with Officer Snelling and his family quite often, as Officer Snelling has served as a mentor to him.

Furthermore, notwithstanding the testimony of Police Officer Michael Rodriguez that on December 18, 2008, he responded to a burglary report made by Officer Snelling at [xxxxx]

South Parnell, and a list of stolen items were given to Officer Rodriguez by Officer Snelling, Officer Rodriguez also testified that he did not see any police equipment or uniforms belonging to Officer Snelling in the house, nor did he determine if Officer Snelling, in fact, lived at [xxxxx] South Parnell. Lastly, Officer Snelling's driver's license contained the address of [xxxx] South Claremont.

The Board finds that, based on the totality of the circumstances of Officer's Snelling's marriage and his ownership of two properties, there is insufficient evidence to prove that Officer Snelling made intentional false statements as to where he resided.

6. The Respondent, Police Officer Broderick J. Snelling, Star No. 19468, charged herein, is **not guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count III: From in or around April 1999 to in our around August 2000, or for some period of time therein, Officer Snelling failed to notify the Department that his current address was [xxxx] S. Claremont, [xxxx] S. Morgan, and/or [xxxx] S. Stony Island, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Officer Snelling convincingly testified that even though he was tardy in submitting his change of address with the Department, he did submit a change of address, changing his address from [xxxx] South Stony Island Avenue to [xxxx] South Claremont.

Also, the Superintendent failed to present convincing evidence that Officer Snelling resided at [xxxx] South Morgan or [xxxx] South Stony Island to warrant the requirement of

Officer Snelling to submit a change of address involving the latter addresses.

7. The Respondent, Police Officer Broderick J. Snelling, Star No. 19468, charged herein, is **not guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count IV: In or around May 2001, Officer Snelling failed to notify the Department of his current address of [xxxx] S. Marshfield, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Superintendent failed to present sufficient testimony and evidence to support that Officer Snelling resided at [xxxx] S. Marshfield, and Officer Snelling denied residing there when questioned by the Department.

8. The Respondent, Police Officer Broderick J. Snelling, Star No. 19468, charged herein, is **not guilty** of violating, to wit:

Rule 14: Making a false report, written or oral,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

On or about July 30, 2008, July 9, 2009, and/or November 18, 2009, during interviews with the Internal Affairs Division regarding an unpaid ComEd bill at [xxxxx] S. Parnell, Police Officer Broderick J. Snelling falsely stated that he resides at [xxxx] S. Claremont, or words to that effect, and/or he never lived at [xxxxx] S. Parnell, or words to that effect, and/or he has lived at [xxxx] S. Claremont for nine or ten years, or words to that effect, when, in fact, he resided at [xxxxxx] S. Parnell from at least in or around 2006 to the present, thereby making a false report, written or oral.

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

9. The Respondent, Police Officer Broderick J. Snelling, Star No. 19468, charged herein, is **not guilty** of violating, to wit:

Rule 26: Failure to provide the Department with a current address and telephone number, in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count I: From in or around April 1999 to in our around August 2000, or for some period of time therein, Officer Snelling failed to notify the Department that his current address was [xxxx] S. Claremont, [xxxx] S. Morgan, and/or [xxxx] S. Stony Island, thereby failing to provide the Department with a current address and/or telephone number.

See the findings set forth in paragraph no. 6 above, which are incorporated here by reference.

10. The Respondent, Police Officer Broderick J. Snelling, Star No. 19468, charged herein, is **not guilty** of violating, to wit:

Rule 26: Failure to provide the Department with a current address and telephone number, in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count II: In or around May 2001, Officer Snelling failed to notify the Department of his current address of [xxxx] S. Marshfield, thereby failing to provide the Department with a current address and/or telephone number.

See the findings set forth in paragraph no. 7 above, which are incorporated here by reference.

POLICE BOARD DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses, having received the oral report of the Hearing Officer, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts the findings set forth herein by the following votes:

By votes of 7 in favor (Demetrius E. Carney, Ghian Foreman, William F. Conlon, Michael Eaddy, Rita A. Fry, Elisa Rodriguez, and Rhoda D. Sweeney) to 0 opposed, the Board finds the Respondent **not guilty** of violating Rule 2, Rule 14, and Rule 26.

As a result of the foregoing, the Board, by a vote of 7 in favor (Carney, Foreman, Conlon, Eaddy, Fry, Rodriguez, and Sweeney) to 0 opposed, hereby determines that cause exists for restoring the Respondent to his position as a police officer with the Department of Police, and to the services of the City of Chicago, with all rights and benefits, effective May 14, 2014.

NOW THEREFORE, IT IS HEREBY ORDERED that the Respondent, Police Officer Broderick J. Snelling, Star No. 19468, as a result of having been found **not guilty** of the charges in Police Board Case No. 14 PB 2858, be and hereby is **restored** to his position as a police officer with the Department of Police, and to the services of the City of Chicago, with all rights and benefits, effective May 14, 2014.

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, Elisa Rodriguez, and Rhoda D. Sweeney.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 15th DAY OF JANUARY, 2015.

Police Board Case No. 14 PB 2858
Police Officer Broderick J. Snelling

Attested by:

/s/ DEMETRIUS E. CARNEY
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]

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THESE FINDINGS AND DECISION

THIS _____ DAY OF _____, 2015.

GARRY F. McCARTHY
Superintendent of Police