

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER WILLIAM WHITLEY,) **No. 19 PB 2955**
STAR No. 6616, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT.) **(CR No. 1092222)**

FINDINGS AND DECISION

On May 29, 2019, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer William Whitley, Star No. 6616 (hereinafter sometimes referred to as “Respondent”), recommending the Respondent be discharged from the Chicago Police Department for violating several Rules of Conduct, which set forth expressly prohibited acts.

A hearing on these charges against the Respondent took place before Hearing Officer Thomas E. Johnson on October 3, 2019. Following this evidentiary hearing, the members of the Police Board read and reviewed the record of the proceedings and the hearing officer’s report.

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. 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 the Respondent not fewer than five (5) days before the date of the initial status hearing for this case.

3. The Respondent was properly notified of the October 3, 2019, evidentiary hearing by both first-class and certified U.S. mail to the address listed on the notice of charges. The Respondent did not appear at the evidentiary hearing. The hearing officer proceeded with this hearing in the Respondent's absence in accordance with Section III-F of the Police Board's Rules of Procedure.

Introduction

4. On September 13, 2018, Police Officer William Whitley pleaded guilty and was found guilty in the United States District Court for the Northern District of Illinois of violating Title 18, §1591 of the United States Code, on account of his sex trafficking of children or by force, fraud, or coercion. He was sentenced to 25 years in prison and is currently incarcerated at the Federal Correctional Institution in Seagoville, Texas. He was also required to pay assessments, fines, and restitution in the amount of \$351,387. As a result of his conviction, on October 29, 2018, the Illinois Law Enforcement Training and Standards Board decertified Officer Whitley as a law enforcement officer, pursuant to 50 ILCS 705/6.1.

Charges Against the Respondent

5. The Respondent, Police Officer William Whitley, Star No. 6616, charged herein, is **guilty** of violating Rule 2 and Rule 3 in that the Superintendent proved by a preponderance of the evidence the following charges:

On or about October 29, 2018, the Illinois Law Enforcement Training and Standards Board decertified Officer Whitley's previous certification and ability to practice as a law enforcement officer in Illinois under 50 ILCS 705/6.1, as a result of being found guilty on September 13,

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2018, in United States District Court, under case 16 CR 719-1, of a violation of Title 18, United States Code Section 1591(a)(1), Sex Trafficking of Children or by Fraud or Coercion, a conviction deemed to be a decertification under the Illinois Police Training Act, 50 ILCS 705/1, *et seq.* Officer Whitley thereby violated:

- a. 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; and
- b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;

See the findings set forth in paragraph no. 4 above, which are incorporated herein by reference. The Superintendent provided the Board with proof of Officer Whitley's conviction and sentence in the federal court. In addition, the Superintendent put into evidence the letter, dated October 29, 2018, from the Illinois Law Enforcement Training and Standards Board, decertifying Officer Whitley as a law enforcement officer, as well as the statutory basis for his decertification. Officer Whitley failed to attend the hearing before Hearing Officer Johnson, in person or through counsel, and offered no defense to the charges against him or the evidence offered by the Superintendent. His conviction and decertification bring discredit upon the Department and constitute a failure to promote the Department's efforts to accomplish its goal of promoting respect for the law and those sworn to enforce it, thereby violating Rules 2 and 3 of the Department's Rules of Conduct.

Penalty

6. The Police Board has considered the facts and circumstances of the Respondent's conduct, and the Respondent's complimentary and disciplinary histories.¹

Under Illinois law, the Respondent, a convicted felon, no longer possesses the required

¹ As noted above, the Respondent did not appear at the October 3, 2019, hearing to offer any evidence in defense or mitigation.

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certification and ability to practice as a law enforcement officer. In addition, it would be a felony for the Respondent to continue to serve as a Chicago police officer. The Respondent's decertification by the Illinois Law Enforcement Training and Standards Board constitutes a substantial shortcoming which renders his continuance in his office detrimental to the discipline and efficiency of the service of the Chicago Police Department, and is something that the law recognizes as good cause for him to no longer occupy his office.

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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 proceedings and the hearing officer's report. The Police Board hereby adopts the findings set forth herein by the following vote.

By a vote of 7 in favor (Ghian Foreman, Paula Wolff, Matthew C. Crowl, Eva-Dina Delgado, Steve Flores, John P. O'Malley Jr., and Andrea L. Zopp) to 0 opposed, the Board finds the Respondent **guilty** of violating Rule 2 and Rule 3 as set forth in paragraph no. 5 above.

As a result of the foregoing, the Board, by a vote of 7 in favor (Foreman, Wolff, Crowl, Delgado, Flores, O'Malley, and Zopp) to 0 opposed, hereby determines that cause exists for discharging the Respondent from his position as a police officer with the Department of Police and from the services of the City of Chicago.

NOW THEREFORE, IT IS HEREBY ORDERED that the Respondent, Police Officer William Whitley, Star No. 6616, as a result of having been found **guilty** of all charges in Police Board Case No. 19 PB 2955, be and hereby is **discharged** from his position as a police officer with the Department of Police and from the services of the City of Chicago.

This disciplinary action is adopted and entered by a majority of the members of the Police Board: Ghian Foreman, Paula Wolff, Matthew C. Crowl, Eva-Dina Delgado, Steve Flores, John P. O'Malley Jr., and Andrea L. Zopp.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 21st DAY OF NOVEMBER, 2019.

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Attested by:

/s/ GHIAN FOREMAN
President

/s/ MAX A. CAPRONI
Executive Director

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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 _____, 2019.

EDDIE T. JOHNSON
Superintendent of Police