

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

<b>IN THE MATTER OF THE</b>	)	
<b>RECOMMENDATIONS FOR DISCIPLINE OF</b>	)	
	)	
<b>POLICE OFFICER LAWRENCE KERR, STAR No. 4871,</b>	)	<b>No. 21 RR 06</b>
	)	
<b>FIELD TRAINING OFFICER MARK JOHNSON, STAR No. 8781,</b>	)	<b>No. 21 RR 07</b>
	)	
<b>POLICE OFFICER TIMOTHY MASON, STAR No. 15802,</b>	)	<b>No. 21 RR 08</b>
	)	
<b>POLICE OFFICER LAUREN HOLT, STAR No. 18899,</b>	)	<b>No. 21 RR 09</b>
	)	
<b>POLICE OFFICER PIERRE WILLIAMS, STAR No. 7632, &amp;</b>	)	<b>No. 21 RR 10</b>
	)	
<b>SERGEANT ALMA PRICE, STAR No. 2257,</b>	)	<b>No. 21 RR 11</b>
<b>DEPARTMENT OF POLICE,</b>	)	
<b>CITY OF CHICAGO.</b>	)	<b>(CR No. 2019-4852)</b>

**REQUEST FOR REVIEW**

On April 26, 2021, the Office of the Police Board of the City of Chicago received from the Chief Administrator of the Civilian Office of Police Accountability (“COPA”) a request for review of the Chief Administrator’s recommendations for discipline of Officers Lawrence Kerr, Star No. 4871, Mark Johnson, Star No. 8781, Timothy Mason, Star No. 15802, Lauren Holt, Star No. 18899, Pierre Williams, Star No. 7632, and Sergeant Alma Price, Star No. 2257, arising out of the investigation of Complaint Register No. 2019-4852 (“Request for Review”).

The investigation stems from an incident involving a number of Chicago police officers and Bernard Kersh on November 28, 2019, near a bus stop at the corner of 79<sup>th</sup> Street and Cottage Grove Avenue. Following the conclusion of the investigation, the Chief Administrator issued recommendations for discipline. The Superintendent of Police disagreed with certain findings and proposed less severe discipline than that recommended by the Chief Administrator

for the following officers.

The Chief Administrator recommended that the following allegation against **Police Officer Lawrence Kerr** be *Sustained*:

Allegation No. 4: On November 28, 2019, at approximately 3:58 p.m., at or near 756 East 79th Street, Chicago, Officer Kerr directed words to the effect of “He ain’t dead. Get the fuck out of here and mind your business,” to a civilian bystander.

The Chief Administrator recommended that Officer Kerr be suspended from the Chicago Police Department for a period of fifteen (15) days. The Superintendent disagreed with the Chief Administrator’s recommendation in that the Superintendent proposed a penalty of a Reprimand (the Superintendent agreed with the finding of *Sustained* for Allegation No. 4).

The Chief Administrator recommended that the following allegations against **Field Training Officer Mark Johnson** be *Sustained*:

Allegation No. 3: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Johnson failed to treat Bernard Kersh with dignity and respect by dragging and/or carrying Mr. Kersh while unconscious without justification.

Allegation No. 4: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Johnson failed to timely activate his body-worn camera.

Allegation No. 6: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Johnson failed to secure Bernard Kersh during transport.

Allegation No. 8: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Johnson failed to act in a manner consistent with the Department’s policy on the sanctity of life by failing to show concern for Bernard Kersh’s condition.

Allegation No. 9: Officer Johnson made one or more false, misleading, incomplete, and/or inaccurate statements in his supplementary report in stating that Bernard Kersh was alert and/or responsive upon Officer Johnson’s arrival to the scene.

Allegation No. 10: Officer Johnson made one or more false, misleading, incomplete, and/or inaccurate statements in his supplementary report in that it omits that Bernard Kersh lost consciousness.

Allegation No. 11: Officer Johnson provided one or more false, misleading, incomplete, and/or inaccurate statements in his supplementary report including a statement of words to the effect of “The offender who was at the feet of the LEMART trained R/O’s was alert.”

Allegation No. 12: Officer Johnson provided one or more false, misleading, incomplete, and/or inaccurate statements in his supplementary report including his statement of words to the effect of “the offender refused to respond and or answer the directives and requests to stand made by R/O’s.”

Allegation No. 13: Officer Johnson provided one or more false, misleading, incomplete, and/or inaccurate statements in his supplementary report including his statement to the effect that “[a]fter repeatedly admonishing the alert offender to stand, R/O’s placed the offender who was ... feigning unconsciousness into restraints.”

The Chief Administrator recommended that Officer Johnson be discharged from the Chicago Police Department. The Superintendent disagreed with the Chief Administrator’s recommendation in that the Superintendent did not agree with the findings of *Sustained* for Allegation Nos. 3 and 8 – 13, and proposed a penalty of a ten-day suspension (the Superintendent agreed with the findings of *Sustained* for Allegation Nos. 4 and 6).

The Chief Administrator recommended that the following allegations against **Police Officer Timothy Mason** be *Sustained*:

Allegation No. 4: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Mason failed to secure Bernard Kersh during transport.

Allegation No. 6: Officer Mason made one or more false, misleading, incomplete, and/or inaccurate statements in his supplementary report in stating that Bernard Kersh was alert and/or responsive upon Officer Mason’s arrival to the scene.

Allegation No. 7: Officer Mason made one or more false, misleading, incomplete, and/or inaccurate statements in his supplementary report in that it omits that Bernard Kersh lost consciousness.

Allegation No. 8: Officer Mason provided one or more false, misleading, incomplete, and/or inaccurate statements in his supplementary report including his statement to the effect that “[o]ffender who at the feet of the LEMART trained R/O’s was alert.”

Allegation No. 9: Officer Mason provided one or more false, misleading, incomplete, and/or inaccurate statements in his supplementary report including a statement to the effect that

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“[a]fter repeatedly admonishing the alert offender to stand, R/O’s placed the offender who was ... feigning unconsciousness into restraints.”

The Chief Administrator recommended that Officer Mason be suspended from the Chicago Police Department for a period of ninety (90) days. The Superintendent disagreed with the Chief Administrator’s recommendation in that the Superintendent did not agree with the findings of *Sustained* for Allegation Nos. 6 – 9, and proposed a penalty of a Reprimand (the Superintendent agreed with the finding of *Sustained* for Allegation No. 4).

The Chief Administrator recommended that the following allegations against **Police Officer Lauren Holt** be *Sustained*:

Allegation No. 1: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Holt directed words to the effect of, “Say it louder. What the fuck is you talking about?” to a civilian bystander.

Allegation No. 2: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Holt directed words to the effect of, “You sound stupid. Clown.” to a civilian bystander.

Allegation No. 3: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Holt deactivated her body-worn camera prematurely.

The Chief Administrator recommended that Officer Holt be suspended from the Chicago Police Department for a period of thirty (30) days. The Superintendent disagreed with the Chief Administrator’s recommendation in that the Superintendent proposed a penalty of a Reprimand (the Superintendent agreed with the findings of *Sustained* for Allegation Nos. 1-3).

The Chief Administrator recommended that the following allegations against **Police Officer Pierre Williams** be *Sustained*:

Allegation No. 1: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Williams directed words to the effect of, “You’re a coon” to a civilian bystander.

Allegation No. 2: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Officer Williams failed to timely activate his body-worn camera.

The Chief Administrator recommended that Officer Williams be suspended from the Chicago Police Department for a period of thirty (30) days. The Superintendent disagreed with the Chief Administrator's recommendation in that the Superintendent proposed a penalty of a five-day suspension (the Superintendent agreed with the findings of *Sustained* for Allegation Nos. 1 and 2).

The Chief Administrator recommended that the following allegations against **Sergeant Alma Price** be *Sustained*:

Allegation No. 1: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Sergeant Price failed to timely activate her body-worn camera.

Allegation No. 2: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Sergeant Price failed to ensure subordinate officers sought appropriate medical attention for Bernard Kersh.

Allegation No. 3: On November 28, 2019, at approximately 3:58 p.m., at or near 802 East 79th Street, Chicago, Sergeant Price failed to act in a manner consistent with the Department's policy on the sanctity of life by failing to show concern for Bernard Kersh's condition.

The Chief Administrator recommended that Sergeant Price be suspended from the Chicago Police Department for a period of sixty (60) days. The Superintendent disagreed with the Chief Administrator's recommendation in that the Superintendent did not agree with the findings of *Sustained* for Allegation Nos. 2 and 3, and proposed a penalty of a ten-day suspension (the Superintendent agreed with the finding of *Sustained* for Allegation No. 1).

According to the Certificate submitted by the Chief Administrator: (1) the Chief Administrator issued the recommendations for discipline on November 10, 2020; (2) the Chief Administrator received the Superintendent's written response on February 8, 2021; (3) the Chief

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Administrator's designees met with the Superintendent's designees and concluded their discussion of this matter on April 16, 2021; and (4) the Request for Review was sent via email to the Executive Director of the Police Board on April 23, 2021.

The Executive Director of the Police Board prepared and forwarded the Request for Review file to Paula Wolff, the member of the Police Board who was selected on a random basis, pursuant to Article VI of the Police Board's Rules of Procedure ("Reviewing Member"). On May 10, 2021, the Reviewing Member reviewed the Request for Review pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago and Article VI of the Police Board's Rules of Procedure.

### **OPINION**

Regarding **Field Training Officer Mark Johnson**, it is my opinion that, based on a thorough review of the Request for Review file, the Superintendent's response does not meet the burden of overcoming the Chief Administrator's recommendation for discipline; an evidentiary hearing before the Police Board is the appropriate forum in which to determine whether Officer Johnson violated any of the Police Department's Rules of Conduct.

Regarding **Police Officers Lawrence Kerr, Timothy Mason, Lauren Holt, and Pierre Williams, and Sergeant Alma Price**, it is my opinion that, based on a thorough review of the Request for Review file, the Superintendent's response does not meet the burden of overcoming the Chief Administrator's recommendations for discipline.

Therefore, pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago, the Chief Administrator's recommendations for discipline of Field Training Officer Mark Johnson,

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Police Officers Lawrence Kerr, Timothy Mason, Lauren Holt, and Pierre Williams, and Sergeant

Alma Price shall be deemed accepted by the Superintendent.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 12<sup>th</sup> DAY  
OF MAY, 2021.

/s/ PAULA WOLFF  
Vice President  
Police Board

Attested by:

/s/ MAX A. CAPRONI  
Executive Director  
Police Board