

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF THE APPEAL BY)
[NAME REDACTED],) **No. 23 AA 20**
APPLICANT FOR THE POSITION OF)
PROBATIONARY POLICE OFFICER,) **(Applicant No. [redacted])**
CITY OF CHICAGO.)

FINDINGS AND DECISION

[Name redacted], (hereinafter referred to as “Applicant”) applied for a probationary police officer position with the City of Chicago. In a letter dated March 17, 2023, the Office of Public Safety Administration gave Applicant written notice of its decision to remove Applicant from the list of eligible applicants for this position (“Eligibility List”) due to the results of a background investigation with said report dated February 7, 2023, along with the reason(s) for the disqualification decision and conduct alleged (“Notice” or "disqualification letter"). Department cited multiple instances of conduct under seven (7) bases.

In a May 13, 2023, unsigned letter, Applicant appealed the disqualification decision to the Police Board by 1) filing a written request seeking to specify why the Department of Police (hereinafter referred to as “Department”) erred in the factual determinations underlying the disqualification decision *and/or* 2) bring to the Board’s attention additional facts directly related to the reason(s) for the disqualification decision, pursuant to Section 2-84-035(b) of the Municipal Code of Chicago (“Appeal”). Department filed a Response June 5, 2023. Applicant filed an unsigned Reply dated June 24, 2023.

APPEALS OFFICER’S FINDINGS, CONCLUSIONS, AND RECOMMENDATION

Appeals Officer Laura Parry, as a result of a review of the above material, submits the following findings of fact, conclusions of law, and recommendation to the Police Board.

FILINGS BY PARTIES

The Appeal, Response and Reply were timely filed and as permitted by Section 2-84-035(b) of the Municipal Code of Chicago.

According to the Notice and Response, Applicant was removed from the list of eligible applicants for the position of probationary police officer for the following reason(s):

Basis #1

IV-B. Disqualification Based on Criminal Conduct

1. "... an applicant may be disqualified from consideration... if there is evidence that the applicant has engaged in criminal conduct, even if the applicant was never convicted of any criminal offense..." (Background Investigation Report, p. 1)

Department cited the following incidents of conduct, in summary:

Termination from employment at a retail store in 2016¹ because an employee Applicant supervised was "under ringing" (charging less than regular price on merchandise sold without authorization), including at least one occasion, items that Applicant purchased but which Applicant denied knowing about the under ring.

July 13, 2019 – Identity Theft. Applicant was alleged to have participated in a financial scheme involving fraudulent transfers to secure bond money for her sister. "Following a search warrant to the sister's home, the Candidate secured the sister's phone and debit card and began making transfers between the sister's bank accounts and CASHAPP using the sister's identity and phone. Once the funds were transferred and bail secured, the sister then reported the phone and debit card stolen to the bank and the police to recoup the funds for the sister's bail. Participation was documented via transcribed jail calls and resulted in the arrest of the sister as the beneficiary of the fraud.

July 10, 2019 – Retail Theft – Arrest. Applicant explained the arrest as items she stole for her child because she fell on hard times due to COVID, but the conduct in the incident report occurred before the pandemic and the items stolen included swimwear, gym shoes, bags and

¹ The year provided by Applicant in her Appeal letter.

jeans. (Investigation Report, p. 2). It was reported that the Polygraph examiner noted Applicant said that she had a significant response to the theft questions because she has stolen before. The polygraph examiner also noted that Applicant was unable to “keep her story straight” when it came to the timeline of her theft history, noting that Applicant reported she fell on hard times 2016-2019 but cited COVID as the reason she stole. (Investigation Report, p. 7)

July 5, 2016 – Retail Theft – Arrest. After being detained for retail theft, Applicant gave false information of her name, age (younger than her real age to appear as a juvenile) and residence. The report indicated that after the arresting officer pointed to inconsistencies in her story she provided her real identification. Applicant was born in February 1994, making her 22 years of age at the time.

May 18, 2012 – Theft-Retail Theft – Juvenile Intervention Support Center (“JISC”). Taken into custody and transported to JISC for retail theft. No further details were provided.

Applicant was listed as a SUSPECT in the following reports:

April 28, 2019 – Other Offense-Telephone Threat. Alleged Applicant made threats of harm to the victim via phone and text.

April 25, 2019 – Criminal Damage to Property/Criminal Trespass to Residence. Alleged Applicant entered her brother’s residence and destroyed property and the brother told Applicant and her then-boyfriend to leave.

(Background Investigation Report, p. 1-2)

Basis #2

IV-B. Disqualification Based on Other Conduct

...

6 - Felonies. “An applicant who has engaged in any conduct which would constitute a felony is not eligible for employment.” (Background Investigation Report, p. 3)

Department cited the July 13, 2019 Identity Theft incident cited in Basis #1 above.

(Background Investigation Report, p. 3)

Basis #3

IV-B. Disqualification Based on Criminal Conduct

7 (b)(2) - Conduct Indicating Dishonesty.

...

“Any conduct demonstrating a reputation or propensity for dishonesty may be grounds for disqualification. Conduct demonstrating a propensity for dishonesty includes... theft... identity theft... fraud... deceptive practice...” (Background Investigation Report, p. 3)

Department cited the following, in summary:

Investigator argued Applicant has a propensity for dishonesty by way of omission and inconsistencies exhibiting an unwillingness to take responsibility for her actions.

Applicant's child was born November 2022. The father is a convicted felon. Applicant was reported to have said her relationship with the father is not romantic but is "complicated." Applicant was reported to have explained that she did not know the father's date of birth, nor where he lived. Investigator reported the father's address is the same as what Applicant listed as the address where she was staying, an address on Calumet. Applicant was reported to have explained that it was the father's sister (her child's aunt) and that Applicant "has taken steps to secure Chicago residence" and update her driver's license and Firearm Owner Identification/Conceal Carry License ("FOID/CCL").

Department also cited the incidents of (1) July 13, 2019, (2) July 10, 2019, (3) July 5, 2016, and (4) May 18, 2012 described in Basis #1 above.

Department cited a May 6, 2014 Hit and Run Arrest for an incident in which surveillance footage showed Applicant hit a parked car with her vehicle, inspected the damage and then moved her vehicle to another space without ever notifying the owner of the damaged vehicle. It is reported Applicant initially denied the incident until she was confronted with the footage.

Investigator also reported giving Applicant several opportunities to clarify her family history, siblings and an alleged domestic violence incident. It was reported Applicant failed to

disclose or identify her sister who it was discovered was the sister involved in the identify theft incident described in Basis #1 above. She did not disclose or identify her brother who has 20 arrests and three convictions and was named by Applicant as a suspect in a complaint for criminal damage to property. Applicant also did not disclose or identify her adoptive brother who has four arrests with no convictions and an active warrant, the last arrest occurring in October 2021. Investigator further researched a 2020 domestic incident between the brother and his then-girlfriend that resulted in the breaking of the front window where Applicant lived at the time. Applicant also did not disclose or identify her adoptive sister who has seven arrests and two convictions, the last arrest was for Battery/Bodily Harm in May 2020. Applicant was said to have reported the adoptive sister stole \$1700 and other property from Applicant and caused damage to property inside the residence. Applicant did not disclose or identify another adoptive brother who has 10 arrests and seven convictions, the last arrest for “No insurance: Operate under Suspicion, Possession” in June 2022. At one point in 2020 the brother was arrested in Applicant’s home while he was visiting her for criminal trespass to state property because he’d previously been banned from property of the municipal housing authority.

(Background Investigation Report, p. 3-6)

Basis #4

IV-B. Disqualification Based on Criminal Conduct

7 (b)(3) - Conduct Indicating Dishonesty.

...“As noted above, an applicant who has engaged in any [conduct] falling within the scope of this section that constitutes a felony will be found unsuitable for employment...” (Background Investigation Report, p. 6)

Department cited the July 13, 2019 Identity Theft incident described in Basis #1 above.

(Background Investigation Report, p. 6)

Basis #5

IV-B. Disqualification Based on Criminal Conduct

7 (c) - Conduct Indicating Violent Tendencies.

"... Conduct demonstrating a propensity for violence includes but is not limited to, conduct which would constitute ... assault; battery... domestic violence..."
(Background Investigation Report, p. 6)

Department cited an October 8, 2019 incident in which a third-party witness described a physical altercation between Applicant and her then boyfriend, wherein Applicant "exchanged blows" with the boyfriend and threw an object at him that caused his nose to bleed. When officers arrived, the boyfriend was not on the scene and Applicant was said to have refused to answer the door. Further reporting noted Applicant did not respond to attempts by the police to contact her. Applicant denied any domestic violence incident when asked by Investigator on February 3, 2023.

Department also cited April 25 and April 28, 2019 incidents described in Basis #1 above in Applicant was named as a suspect for Criminal Damage to Property/Criminal Trespass to Residence and Telephone Threat, respectively.

(Background Investigation Report, p. 6-7)

Basis #6

IV-H. Disqualification Based on Other Conduct

1. "... a combination of traits disclosed during the pre-employment investigation that would not by themselves lead to a finding that an applicant is unsuitable for employment, but when taken as a whole, exhibit that the applicant is not suited for employment as a police officer, will be found unsuitable." (Background Investigation Report, p. 7)

Department cited Applicant's inability to "keep her story straight" when it came to why she engaged in retail theft in the July 10, 2019 incident described in Basis #1 above, and generally as to her history of theft between 2016 and 2019.

Department cited Applicant's tattoo of a five-point crown with small circles above it with the word "Queen" inscribed under the crown as consistent with the sister gang of the Latin Kings, as described by two background investigators familiar with the gang and its members' tattoos. It was also reported that Investigator discovered that another father of one of Applicant's

other children is a documented and self-admitted member of one of the factions of Latin Kings.

Also, under Other Conduct, Department cited the October 8, 2019 physical altercation described in Basis #5 above.

(Background Investigation Report, p. 6-8)

Basis #7

IV-I. Disqualification Based on False Statements or Omissions

- ...
1. "... failure to fully disclose all known information requested, whether it is beneficial or prejudicial to the applicant..."

(Background Investigation Report, p. 6)

Department cited the failure to disclose or identify Applicant's five natural and/or adoptive siblings; her relationship and knowledge of whereabouts with one of her children's fathers; and her denial of the physical altercation with her boyfriend. All of this conduct was described in Basis #3 above. Department also cited the July 13, 2019 Identity Theft incident cited in Basis #1 above.

(Background Investigation Report, p. 8-10)

Appeal, Response and Reply

APPEAL

Applicant stated that there were a number of misinformed incidents in the disqualification letter and pointed out that none of the allegations were proven in a court of law. As to the termination from employment at the retail store described in Basis #1 above, Applicant shared that what the employee did wasn't Applicant's fault but because Applicant was the manager and because "they were looking to fire" employees she was terminated. Applicant explained she was "an electronics worker" for three years prior to the termination and had "satisfying reviews and good service reports" from customers and staff. Applicant attached a character reference to her appeal from her former manager who supplied a phone number and email address. The

supervisor described Applicant as a team player with initiative, is dependable, punctual and hard working. No reference was made as to the termination or its circumstances.

Applicant denied involvement in the July 13, 2019 Identity Theft incident. Applicant stated it was her own kindness that was misconstrued as involvement, explaining that Applicant purchased a phone for her sister on Applicant's phone plan because her sister's credit was not good enough for her to get her own plan and that is how Applicant's name came up as her being involved in the incident. Applicant notes in her letter that she "was trying to be a good sister and help her with bail." Applicant goes on to further state that they didn't have a close connection or bond and that she was not aware biological family members' backgrounds would negatively impact her life or hinder her pursuit of a job for which she worked so hard to be considered.

As to other retail theft, which she described a "petty," Applicant explained she had no excuses except that she was a teenage single mother at the time of the May 18 2012 retail theft incident, without proper guidance, struggling in high school and being told by people she was worthless and not smart enough. She explained that when she lost her job prior to the July 10, 2019 retail theft incident those feelings came back. Applicant then stated that it "was not even an attempt of theft. It was merely a misunderstanding of me forgetting my wallet in the car."

She denied the October 8, 2019 domestic disturbance call and avoidance of the police officers when they knocked on the door. She said it was not her. She explained she tried adding her younger sister to the housing list to "help her out of a homelessness situation" as she aged out of the family services system, but that it ended badly because Applicant ended up being accused as the one who avoided the officers.

Applicant related one of the background investigators said she did not have to go into details about her siblings, but now she feels it was being held against her by not doing so. Applicant stated after she met three of her other biological siblings when she stayed with the

brother after leaving home, she felt a desire to help them and to be kind. However, as to her siblings and false statements and omissions alleged in the disqualification letter, Applicant was confused because her definition of “sibling” is different having grown up in foster care and being adopted. She wrote that she would not be attached to them in any way that could incriminate her as an officer and would hold a firm boundary to uphold the law. She also pointed out that three of her siblings “are exceptional and have clean records,” and that the siblings shouldn’t all be “lumped together and viewed negatively.”

As to her tattoo, Applicant admitted that it wasn’t the smartest choice for a tattoo given her former boyfriend was affiliated with a gang, but that she got it to remind herself that she should carry herself no less than a queen. She stated she got the tattoo in 2016 but didn’t meet that former boyfriend until 2018. She also explained she didn’t know he was in a gang until this process and when she asked him, he denied he was ever in a gang and said he was jumped by a gang once and that was why the police listed him as a gang member. She further stated that had she thought he’d been in a gang she never would have dated him.

As to the April 25, 2019 incident described in Basis #1 above, Applicant explained that because they’d had an argument the night before her brother assumed Applicant broke into his house and caused damage, but that his neighbor’s camera showed it was not her. A letter to that effect was attached to the appeal, explaining the brother made officers aware of the mistake he’d made. The letter was signed and dated. No further contact information was given.

As to the allegations regarding Applicant’s dishonesty as to her relationship and knowledge of the whereabouts of one of her children’s father as described in Basis #3 above, she said she wasn’t sure why it said she lied about his address. Applicant included a photocopy of a driver’s license issued to the individual on July 13, 2021 showing a S. Ellis address.

Applicant explained that she decided stealing was not the life she wanted, understands

that how her background might appear to be a risk for hiring, but asks for reconsideration. Applicant states she will work hard to uphold the standards of law both in life and on the job, and that she understands being a police officer is a lifestyle. Applicant asserts she has completed the coursework in her bachelor's degree program for criminal justice and is in process of getting arrest records sealed and expunged. Applicant provided documentation of expungement/sealing for a August 28, 2019 retail theft arrest (not cited as a basis for this disqualification); a July 5, 2016 retail theft arrest (described in Basis #1 above); and the failure to notify Damage/Unattended Vehicle (described in Basis #1 above). Documentation and comments from a police internship supervisor was provided by Applicant with the Appeal. Applicant expressed zeal for serving and protecting and that she will utilize her interpersonal skills to relate to all people to ensure diversity and inclusion.

Applicant explained that she grew up in foster care most of her life and did not consider herself to have siblings, but rather roommates. She explained she was taken from her birth mom when she was an infant. She also explained that she was told she was adopted at the age of six and never really knew her birth siblings, not being introduced to them until she was age six. She explained that she had eight adoptive family siblings with the last name [Name redacted], which became her last name after the adoption. Applicant wrote she was not treated properly as a sister or daughter which is why she didn't consider them siblings and most left home before she become an adult. Applicant shared that she was "molested" from the ages of nine through 14, choosing not to say anything and leaving when she turned 18. When she left, she stayed with who she referred to as her biological brother, who also has the last name Morton, until she was able to get a job the retail store referenced in Basis #1 above and get her own apartment.

(Appeal letter and Attachments)

RESPONSE

Department, in summary, iterated the conduct and bases set forth in its disqualification letter. It further added that Applicant provided a driver's license for the father of one of her children issued July 13, 2021 despite the fact Applicant claimed not to know where he lived or his date of birth. It added that as to the domestic violence call in October 2019, there was a witness to the incident between Applicant and her then boyfriend. It iterated that not only did Applicant not answer the door when the police arrived, but she refused to answer subsequent attempts by the police to contact her. (Response)

REPLY

Applicant denied she and the father of the one child lived at the same address or that he changed it to hers. She denied knowing he was a felon, which occurred when he was 17, until this process. She stated they dated "back in 2021" and that she didn't think she should be held accountable for other people's records. Applicant again denied the Identity Theft conduct, noting that she did not get her sister out of jail, nor did she have any of her belongings. She stated her "name was only involved because I was trying to be a good sister and help her with bail since she has children." Applicant again denied wrongdoing when she was terminated from the retail store in 2016. Applicant added she has her Certified Nurse Assistant ("CNA") license and is proudly working as one but through that process she realized she wants to be a detective investigating rapes, to "prevent people from going through what I went through as a child."

Applicant iterated her tattoo is not gang affiliated and that she's never been in a gang in her life. She also said that as a Latin queen (non-gang affiliation) she had never heard of a gang called "Latin Queens" and that she has now looked up the gang symbol and avers that her tattoos are not like them and that her tattoo is part of a theme of tattoos she has. Applicant explained that because she grew up in Englewood and was born and raised on the South Side she understands why she would be accused of being in a gang. She stated she does not believe the

father of one of her other children was ever in a gang and that they dated for three months and she sees him once or twice a year when he visits their child, that she broke up with him when she found out that he “drinks” because she did not want that around her first child, but that she was already pregnant when they split up.

Applicant denied being a thief, and that the 2019 Retail Theft incident was a mistake. She explained she was able to show the police officer she left her wallet in her car.

Applicant stated more about how she has paid her dues, that she deserves a chance, that she’s gone back to school to do better and that “the only thing that should be questioned is why I refuse to give up and let this false reputation of me win.” She stated she feels like she’s fighting for her life with people who will use anything to not give her a chance when she is willing to put her life on the line for people that could care less, pointing out presidents have been accused of things but they still have “awesome terms.” She argued her disqualifications have nothing to do with her but everything to do with other people she’s crossed paths with. Applicant stated she has distanced herself from all family except two and her children, for whom she wants to be a role model. Applicant went on to explain more tribulations in her background and the personal qualities she can bring to the position of probationary police officer, including going right into training after having her child in 2022, spending many nights at CPD.

(Reply)

FINDINGS OF FACT

Filings were timely.

Department provided the factual basis for its decision to disqualify Applicant and remove Applicant's name from the eligibility list for which Applicant was given the opportunity to file a written appeal specifying why the Department erred in the factual determinations underlying the Department's decision *and/or* provide additional facts directly related to the bases for

disqualification.

Findings of Fact as to Individual Incidents of Conduct Alleged

May 18, 2012 – Theft-Retail Theft. Applicant did engage in this conduct. Applicant explained why she stole, but it does not negate the conduct occurred. By a preponderance of the evidence, Applicant did not show error or provide additional facts that show the conduct did not occur.

May 6, 2014 Hit and Run and denying it before confronted with footage. Applicant did engage in this conduct. This occurred while employed at the retail store from which she was terminated. By a preponderance of the evidence, Applicant did not show error or provide additional facts that show the conduct did not occur.

2016 – Termination from Employment. Applicant did engage in this conduct. Applicant was terminated from her manager position at a retail store. An employee she supervised on multiple occasions misused a discount code to “under ring” or charge less than what the authorized price was for items purchased. While Applicant claims she did not know this, she should have, and she was one of the recipients of the “under ringing” for items she purchased. By a preponderance of the evidence, Applicant did not show error or provide additional facts that show the conduct did not occur.

July 5, 2016 – Retail Theft. Applicant did engage in this conduct. After being detained for the retail theft, Applicant lied to the police about her name, age, and residence. She gave her real information only after further questioning about inconsistencies in the information she had given. She was over 18 at the time. By a preponderance of the evidence, Applicant did not show error or provide additional facts that show the conduct did not occur.

April 25, 2019 – Criminal Damage to Property/Criminal Trespass to Residence. Applicant did not engage in this conduct. Applicant provided significant details in her denial and the

alleged victim's accompanying letter to the appeal. By a preponderance of the evidence, Applicant did show error/provide additional facts that show the conduct did not occur.

April 28, 2019 – Other Offense-Telephone Threat. Applicant did not engage in this conduct. It was alleged Applicant made threats of harm to the victim via phone and text. Applicant did not specifically deny this, however Applicant stated that there was a number of misinformed incidents in the disqualification letter and pointed out that none of the allegations were proven in court of law. Here there is a significant lack of detail in the report wherein she was named as a suspect and not an offender. By a preponderance of the evidence, Applicant did show error/provide additional facts that show the conduct did not occur.

July 10, 2019 – Retail Theft. Applicant did engage in this conduct. The fact that Applicant blamed COVID, a pandemic that occurred in 2020, for her conduct in 2019, puts her credibility into question, as does the fact that the items taken were swimwear, gym shoes, bags and jeans. It also does not make sense that she left her wallet in the car because if she did that, all she would have had to do was to leave the items in the store, go to the car and get the wallet and return to buy the items – not attempt to leave the store with the items before paying for them.

July 13, 2019 – Identity Theft. Applicant did engage in this conduct. Applicant's involvement was determined based on transcribed calls. In the Appeal letter Applicant denies the conduct but stated that she was “trying to be a good sister and help her with bail.” By a preponderance of the evidence, Applicant did not show error/provide additional facts that show the conduct did not occur.

October 8, 2019 incident in which it is alleged Applicant threw an item at her boyfriend and caused his nose to bleed and then avoided police. Applicant did engage in this conduct. Even though Applicant denied knowing about this incident, there was a third-party witness that was close enough to view the altercation to the point where they could see the boyfriend's nose

bleeding. In her denial of being part of the incident or even being at the location it occurred, Applicant did not explain why she did not subsequently respond to the attempts police made to follow up about the incident. While Applicant provided several statements from people regarding other incidents, she did not provide a statement from the boyfriend or any explanation as to why she did not get a statement from him even though she does see this person at least twice a year, especially given Applicant knew that there was a witness to the incident. By a preponderance of the evidence, Applicant did not show error/provide additional facts that show the conduct did not occur.

Applicant's failure to disclose exact relationship to and knowledge of where one of her other child's father lives. Applicant did not engage in this conduct. When asked, it is believable Applicant did not know the date of birth or current residence of the child's father. Applicant showed a copy of a July 13, 2021 driver's license for that individual as attached to her Appeal letter. The Investigation Report also referenced a July 13, 2021 driver's license. The address on the copy of the driver's license Applicant provided is on S. Ellis, while the Investigator claimed it was an address on S. Calumet (the address where Applicant was reported to have said she was staying). It appears that Applicant was staying at a S. Calumet address, while the father was at a S. Ellis address. The fact Applicant may have been staying with the child's aunt (presumably the father's sister) does not mean she necessarily knew where he was living. By a preponderance of the evidence, Applicant did show error/provide additional facts that show the conduct did not occur.

Applicant not disclosing or identifying siblings. Applicant did engage in this conduct. If there was any doubt about who should be listed as a sibling, it is curious why one would not be inclusive as to both biological and adoptive siblings, whether or not one is "close" to them or "considers" them siblings. By a preponderance of the evidence, Applicant did not show

error/provide additional facts that show the conduct did not occur.

As it relates to Applicant's tattoos. Applicant did not engage in this conduct. Applicant explained what the tattoo means to her. She denied association with a gang. She stated that she got the tattoo before her association with the former boyfriend who was said to have been (but it was denied) associated with a gang. By a preponderance of the evidence, Applicant did show error/provide additional facts that show the conduct did not occur.

Additional findings, “petty” crimes, as described by Applicant are still crimes.

Findings as the Individual Bases Alleged

In applying the disqualification standards to the facts as found above, the followings findings are made:

Applicant DID NOT provide additional facts sufficient for all conduct cited directly related to and/or specify why the Department erred in the factual determinations underlying the disqualification decision as to Basis #1 **IV-B - Disqualification Based on Criminal Conduct;** Basis #2 **IV-B 6 - Disqualification Based on Criminal Conduct - Felonies;** Bases #3 and #4 **IV-B 7(b)(2) and IV-B7(b)(3) - Disqualification Based on Criminal Conduct - Conduct Indicating Dishonesty;** Basis # 5 **IV-B 7(c) Disqualification Based on Criminal Conduct - Conduct Indicating Violent Tendencies;** Basis #6 **IV-H - Other Conduct;** and Basis #7 **IV-I. Disqualification Based on False Statements or Omissions.**

In this case, Applicant engaged in the conduct of retail theft on three occasions and identity theft in conjunction with her sister's bail scheme, which is a felony. Applicant was also terminated from employment for employee-related theft (as she was the beneficiary of under ringing by an employee she supervised). Applicant either lied or was not forthcoming with required information, especially in her past dealing with the police, like when she gave false

identification information, blaming her conduct in the 2019 theft on COVID when the pandemic had not yet happened, and initially denying being involved in a hit and run incident. She also engaged in violence against the former boyfriend when she threw an object at him that caused his nose to bleed. Applicant also purposefully omitted much information regarding her siblings during the application process, some of whom had criminal arrests and convictions.

CONCLUSIONS OF LAW

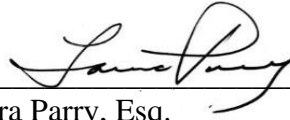
Pursuant to the Municipal Code of Chicago (“MCC”) 2-84-030 the standard of review for appeals of disqualification and removal of an applicant’s name from the Eligibility List is that Applicant shall show by a preponderance of evidence that Department’s decision to remove the applicant from the Eligibility List was erroneous (MCC 2-84-035(c)). Therefore, according to the law and procedures, findings and recommendations are based upon whether Applicant’s Appeal shows by a preponderance of the evidence that Department erred in removing Applicant’s name from the Eligibility List, based upon the employment standards established by the Department.

Applicant **DID NOT** show by a preponderance of the evidence for all the bases presented that Department erred in the exercise of its decision to remove Applicant’s name from the Eligibility List for the reasons stated herein. Even where there is only one incident of criminal conduct, Department may disqualify the Applicant where there is evidence that the applicant has engaged in criminal conduct, even if the applicant was never convicted of any criminal offense.

RECOMMENDATION

Based on my findings and conclusions set forth above, I recommend that the decision to remove Applicant from the list of eligible applicants for the position of probationary police officer be **affirmed**.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Laura Parry", is written over a horizontal line.

Laura Parry, Esq.
Appeals Officer

Date: August 13, 2023

POLICE BOARD DECISION

The members of the Police Board of the City of Chicago have reviewed the Appeals Officer's findings, conclusions, and recommendations.

The Police Board hereby adopts the Appeals Officer's findings, conclusions, and recommendation by a vote of 9 in favor (Ghian Foreman, Paula Wolff, Steven Block, Aja Carr-Favors, Mareilé Cusack, Nanette Doorley, Michael Eaddy, Jorge Montes, and Andreas Safakas) to 0 opposed.

NOW THEREFORE, IT IS HEREBY ORDERED that the decision to remove [Name redacted] from the list of eligible applicants for the position of probationary police officer is **affirmed**.

This decision and order are entered by a majority of the members of the Police Board: Ghian Foreman, Paula Wolff, Steven Block, Aja Carr-Favors, Mareilé Cusack, Nanette Doorley, Michael Eaddy, Jorge Montes, and Andreas Safakas.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 17th DAY OF AUGUST, 2023.

Attested by:

/s/ GHIAN FOREMAN
President

/s/ MAX A. CAPRONI
Executive Director