

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

**IN THE MATTER OF THE SUSPENSION OF )  
POLICE OFFICER THOMAS D. OAKES, ) No. 14 SR 2327  
STAR No. 9675, DEPARTMENT OF POLICE, )  
CITY OF CHICAGO. ) (CR No. 1009860)**

**FINDINGS AND DECISION**

On or about May 13, 2014, the Superintendent of Police suspended Police Officer Thomas D. Oakes, Star No. 9675, for fifteen (15) days 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 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 22: Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

On May 16, 2014, Officer Oakes filed with the Police Board a request for Police Board review of this suspension. On May 23, 2014, Officer Oakes filed with the Police Board a memorandum delineating specific reasons for which the review was requested.

The Executive Director of the Police Board assigned this matter to Hearing Officer Thomas E. Johnson. Hearing Officer Johnson reviewed the investigation file and submitted a written report to the Police Board.

The members of the Police Board reviewed the Summary Report of the investigation file, the recommendations of Command Channel Review, Officer Oakes's memorandum, the Independent Police Review Authority's response to Officer Oakes's memorandum, and Hearing Officer Johnson's report. Hearing Officer Johnson made an oral report to and conferred with the Police Board before it rendered its findings and decision. (Board Members Melissa M. Ballate,

Susan L. McKeever, and Elisa Rodriguez recused themselves from this case pursuant to §2-57-060(c) of the Municipal Code of Chicago.)

### **POLICE BOARD FINDINGS**

The Police Board of the City of Chicago, as a result of its consideration of this matter, finds and determines that:

1. The allegation, set forth below, that Police Officer Thomas D. Oakes, Star No. 9675, violated Rule 8 is supported by sufficient evidence to justify disciplinary action, and the allegation is therefore **sustained**.

On October 4, 2007, at approximately 1742 hours, at 3500 South Damen Avenue, Chicago, while on duty, Officer Oakes called Jesse Glover a “boy.”

Immediately following a traffic stop by two Chicago police officers, Cornelius Glover registered a complaint of misconduct with the Independent Police Review Authority (IPRA). He, Jesse Glover, and Orlando Hughes gave statements to IPRA soon after the incident. According to the Glovers and Mr. Hughes, during the traffic stop Officer Brian Cahill repeatedly referred to them in racist terms and directed derogatory comments toward them, and grabbed Jesse Glover by the shirt and pushed him up against the car. Officer Cahill, in his statement to IPRA, stated that he could not recall any encounter with these victims, could not recall issuing the tickets, and could not recall being at that location. He denied all of the allegations. The Police Board, in Case No. 13 SR 2314, found credible the complainant’s and witnesses’ account of the incident, found not credible Officer Cahill’s denial of the allegations, and sustained a twenty-day suspension of Officer Cahill for his misconduct.

Officer Thomas Oakes was Officer Cahill’s partner on the day in question. Cornelius Glover stated that in the middle of the incident discussed above, Jesse Glover turned to Officer

Oakes and asked if he saw how Officer Cahill was treating them. According to both Glovers, Officer Oakes responded by saying “I’ll call you a boy, too,” or words to that effect, and did nothing as Officer Cahill’s behavior continued.

Officer Oakes stated that he did not recall having had contact with the Glovers and Mr. Hughes, did not recall any misconduct by Officer Cahill, and denied calling Jesse Glover a “boy.”

The Board finds credible the Glovers’ accounts of the incident, and finds not credible Officer Oakes’s denial of the allegations.

2. The allegation, set forth below, that Police Officer Thomas D. Oakes, Star No. 9675, violated Rule 22 is supported by sufficient evidence to justify disciplinary action, and the allegation is therefore **sustained**.

On October 4, 2007, at approximately 1742 hours, at 3500 South Damen Avenue, Chicago, Officer Oakes failed to take proper police action after he observed improper conduct by a Department member.

See the findings set forth in paragraph no. 1 above, which are incorporated here by reference.

3. The allegation, set forth below, that Police Officer Thomas D. Oakes, Star No. 9675, violated Rule 2 is supported by sufficient evidence to justify disciplinary action, and the allegation is therefore **sustained**.

On October 4, 2007, at approximately 1742 hours, at 3500 South Damen Avenue, Chicago, Officer Oakes failed to take proper police action after he observed improper conduct by a Department member, and Officer Oakes called Jesse Glover a “boy.”

See the findings set forth in paragraph no. 1 above, which are incorporated here by reference.

4. The Police Board has considered the facts and circumstances of Officer Oakes's conduct, and his complimentary and disciplinary histories. Officer Oakes's demeaning and unprofessional comment to Jesse Glover, and Officer Oakes's failure to take proper action after observing Officer Cahill's misconduct are serious offenses, and the fifteen-day suspension ordered in this case is not unwarranted.

### **POLICE BOARD DECISION**

The Police Board of the City of Chicago hereby adopts the findings set forth herein by the following votes:

By votes of 6 in favor (Demetrius E. Carney, Ghian Foreman, William F. Conlon, Michael Eaddy, Rita A. Fry, and Rhoda D. Sweeney) to 0 opposed, the Board **sustains** the allegations that Police Officer Thomas D. Oakes violated Rule 2, Rule 8, and Rule 22.

As a result of the foregoing, the Board, by a vote of 6 in favor (Carney, Foreman, Conlon, Eaddy, Fry, and Sweeney) to 0 opposed, hereby determines that cause exists for suspending Police Officer Thomas D. Oakes from his position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period of fifteen (15) days.

**NOW THEREFORE, IT IS HEREBY ORDERED** that the suspension of Police Officer Thomas D. Oakes, Star No. 9675, for a period of fifteen (15) days is **sustained**.

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, and Rhoda D. Sweeney.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 18<sup>th</sup> DAY OF SEPTEMBER, 2014.

Police Board Case No. 13 SR 2327  
Police Officer Thomas D. Oakes

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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RECEIVED A COPY OF  
THESE FINDINGS AND DECISION  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

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GARRY F. McCARTHY  
Superintendent of Police