

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

**IN THE MATTER OF THE APPEAL BY )  
[NAME REDACTED], ) No. 24 AA 62  
APPLICANT FOR THE POSITION OF )  
PROBATIONARY POLICE OFFICER, ) (Applicant No. [redacted])  
CITY OF CHICAGO. )**

**FINDINGS AND DECISION**

[Name redacted] (hereinafter “Applicant”) applied for a probationary police officer position with the City of Chicago. In a letter dated June 10, 2024, and sent to Applicant on August 7, 2024, the Office of Public Safety Administration (“OPSA”) gave Applicant written notice of the decision to remove Applicant from the list of eligible applicants for this position (“Eligibility List”) due to the results of a background investigation, along with the reason(s) for the disqualification decision and notice of the right to appeal (“Disqualification Decision”).

On September 18, 2024, Applicant filed with the Police Board an appeal of the Disqualification Decision pursuant to Section 2-84-035(b) of the Municipal Code of Chicago (“Appeal”). OPSA filed a response to the Appeal on November 4, 2024 (“Response”). Applicant did not file a reply to the Response.

Police Board Appeals Officer Lauren A. Freeman reviewed the Disqualification Decision, Appeal, and Response.

**APPEALS OFFICER’S FINDINGS, CONCLUSIONS, AND RECOMMENDATION**

Appeals Officer Freeman, 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.

**Disqualification Decision**

According to the Disqualification Decision, Applicant was removed from Eligibility List for the following reasons:

**Basis #1**

**IV. Pre-employment Investigation Standards for Applicants to the Position of Police**

**Officer**

B. Disqualification Based on Criminal Conduct

7. Other Criminal Conduct

c). Conduct Indicating Violent Tendencies

Police officers are required to act reasonably and professionally at all times and to maintain control over their emotions in the exercise of their duty. These qualities are vital to a police officer’s ability to protect the public and its trust in the police. Applicants who have demonstrated a propensity for violence do not meet those requirements. Therefore, any conduct demonstrating a propensity for violence will be grounds for disqualification. Conduct demonstrating a propensity for violence includes but is not limited to, conduct which would constitute murder; kidnapping; sex offenses; assault; battery; aggravated battery; offenses against property; robbery; domestic violence; disorderly conduct; and mob action. As noted above, an applicant who has engaged in any act falling within the scope of this section that constitutes a felony will be found unsuitable for employment.

An applicant who has engaged in any act falling within the scope of this section that constitutes a misdemeanor within the last three (3) years (from the date of PHQ submission), or more than one (1) time in his or her life, will be found unsuitable for employment.

OPSA cited the following conduct, in summary:

When Applicant previously applied for a position as a probationary Chicago Police Officer (“PCPO”) in 2018, she reported that in 2012, 2015, and 2016, she intentionally damaged two former boyfriends’ vehicles, and put sugar in a third former boyfriend’s gas tank.

**Basis #2**

**IV. Pre-employment Investigation Standards for Applicants to the Position of Police Officer**

G. Disqualification Based on Indebtedness

Police officers are occasionally required to handle significant amounts of currency in the execution of their duties. Further, police officers with significant indebtedness are considered particularly susceptible to corruption and coercion. Therefore, any applicant who has current personal debts not related to a business, mortgage loans, student or auto loans, or medical bills the total of which is in excess of fifty percent (50%) of the annual starting salary of a Chicago Police Officer at the time of application, or at any point during the hiring process, will be found unsuitable for employment. Regardless of the source of debt, an applicant who has defaulted on any loan or has an inconsistent payment pattern may be found unsuitable for employment.

Any applicant who owes a debt to the City of Chicago at any time during processing will be given a reasonable amount of time to clear those debts. Any applicant who owes a debt to the City of Chicago at the time of hire will be found unsuitable for employment.

OPSA cited the following conduct, in summary:

On January 3, 2024, during Applicant's hiring process, Applicant's credit card debt was in excess of fifty percent of the annual starting salary of a Chicago Police Officer.

**Filings by the Parties**

**Appeal (summary)**

Applicant appeals OPSA's decision pertaining to Basis #1 stating that when she previously applied to CPD, she, "had trouble with a polygraph," and that, "The City established through a preponderance of the evidence that (she) was truthful in (her) disclosure of involvement in the four violent incidents." In her appeal, she asserts that at the time she disclosed

the information, she was “being honest,” and that when she committed the property damage, she was “incredibly stupid and young.” She concludes that she is now thirty years old and “no longer behave(s) or act(s) in the same ways.”<sup>1</sup>

Pertaining to Basis #2, Applicant states that she recently paid off a portion of her credit card debt in order to comply with the Department’s debt eligibility requirements.

**Response (summary)**

OPSA’s Response avers that OPSA (often referred to as “the Department” in OPSA’s Response) reviewed Applicant’s Appeal request and refers to and relies on the facts and evidence relating to the disqualification contained in Applicant’s file, as well as several addendums (a complete copy of the Human Resources Board’s earlier ruling disqualifying Applicant in case #20 HRB 072, and a report dated April 21, 2018, containing Applicant’s Polygraph Pre-Test Admissions). OPSA maintains that the pre-employment standards upon which Applicant’s disqualification were based are clear (Disqualification Based on Conduct Indicating Violent Tendencies, and Disqualification Based on Indebtedness).

Specifically, as to Basis #1, OPSA highlights that Applicant freely admitted to the disqualifying information in her 2018 Polygraph Pre-Test Admissions. As to Basis #2, OPSA relies on details delineated in the Background Investigation Report.

OPSA states that the evidence in Applicant’s file supports its decision to disqualify Applicant from hiring, and the Department is within its right to do so, citing *Apostolov v.*

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<sup>1</sup> In her Appeal, Applicant also addresses alleged prior associations with gang members. While gang association was alleged as a disqualification basis when she applied to the Department in 2018, OPSA did not cite such associations as a basis for Applicant’s recent disqualification. Pursuant to Police Board Rule of Procedure VII.E, any facts, evidence, or arguments omitted from the Department’s Notice and Response are deemed waived.

*Johnson*, 2018 IL App (1<sup>st</sup>) 173084, ¶¶ 24, 31 and *Johnson v. O'Connor*, 2018 IL App (1<sup>st</sup>) 171930, ¶¶ 16-17, 20. OPSA reasons that had Applicant been in the Department's employ while committing the criminal conduct, she would have been in violation of multiple CPD Rules and multiple state laws, each of which would serve by themselves as grounds for disqualification.

### **Findings of Fact**

The Appeal and the Response were timely filed. Applicant's Appeal was filed no later than 60 calendar days from September 18, 2024, the date on the notice, as required by Section 2-84-035(b) of the Municipal Code of Chicago. OPSA's Response was not filed within 45 calendar days of receipt of a copy of the Appeal (as required by Police Board Rule VII. E), but since November 2 and 3, 2024 (days 45 and 46) were weekend days, the Police Board appropriately accepted OPSA's Response on Monday, November 4, 2024.

OPSA provided the factual bases for its decision to disqualify Applicant and remove her name from the Eligibility List.

OPSA determined that her past conduct indicating violent tendencies, as well as her indebtedness during the hiring process, constituted grounds for disqualification. OPSA articulated the Standards by which the conduct was assessed by section and paragraph, and articulation of the Standard gives reasonable notice as to the basis for disqualification.

### **Conduct Indicating Violent Tendencies**

As OPSA's March 20, 2024 Investigative Report notes, Applicant was "background rejected" by the Department in 2018, when she previously applied for a PCPO position. At that time, she filed an appeal to the Human Resources Board ("HRB") and was scheduled for a hearing but failed to appear. The hearing proceeded in her absence and the HRB upheld her removal from the Eligibility List, in part under Section IV.B.7.c – Conduct Indicating Violent

Tendencies, based on the Detailed Pre-Test Admissions she made prior to her April 21, 2018 polygraph test. In those Admissions, she freely reported that she engaged in the following conduct: 1) in 2008, she was involved in a physical altercation “over a guy,”; 2) In 2012, she put sugar in her then-boyfriend’s gas tank, after he sent her a picture of himself with another woman and called the woman his “real valentine”; 3) In 2015, she keyed the passenger side and rear of a different boyfriend’s vehicle when she found out he was cheating on her; and 4) In 2016, she keyed a third former boyfriend’s vehicle and pulled the vehicle’s mirrors off after he gave her a sexually transmitted disease and failed to take responsibility or apologize for it. In HRB’s 2021 Findings and Decision Report affirming Applicant’s disqualification, the HRB ruled that, “Applicant admitted to a series of four separate violent incidents wherein she sought personal revenge or retribution against an actual person or their property” in violation of the Department’s Standards for Applicants.

Several years later, OPSA disqualifies Applicant again, based, in part, upon the last three of four violent incidents she admitted to in 2018. Applicant does not provide any information in her Appeal to rebut OPSA’s findings. As noted above, when asked about these incidents during her recent application interview, Applicant stated that she is “now a different person and would never again intentionally damage someone else’s property.”

**Indebtedness**

Applicant’s file contains Applicant’s TransUnion Credit Report from January 3, 2024. Based on her credit report, OPSA concludes that as of that date, Applicant had a total of \$37,251.00 in credit card debt. Since the starting salary of a PCPO at the time Applicant applied for the position was \$58,842, Applicant’s credit card debt amounted to more than 50% of the annual starting salary.

Applicant does not provide any information in her Appeal to rebut OPSA's findings. Instead, she asserts that she recently paid off a portion of her credit card debt in order to comply with the Department's debt eligibility requirements.

### **Conclusions of Law**

Section IV of the Bureau of Support Services Special Order contains the Pre-Employment Investigation Standards for Applicants to the Position of Police Officer that are applicable to this appeal. Applicant was disqualified by OPSA based on conduct indicating violent tendencies, as well as Applicant's indebtedness during the hiring process. Pursuant to Police Board Rule of Procedure VII.E, any facts, evidence, or arguments omitted from the Department's Notice and Response are deemed waived.

Pursuant to the Municipal Code of Chicago ("MCC") 2-84-035(c), the standard of review for appeals of disqualification and removal of an applicant's name from the Eligibility List is that Applicant shall have the burden of showing, by a preponderance of evidence, that OPSA's decision to remove the applicant from the Eligibility List was erroneous. Pursuant to Police Board Rule of Procedure VII.B, any facts, evidence, or arguments omitted from Applicant's Appeal are deemed waived.

### **Conduct Involving Violent Tendencies**

Under Section IV.B.7.c., "any conduct demonstrating a propensity for violence will be grounds for disqualification. Conduct demonstrating a propensity for violence includes but is not limited to, conduct which would constitute... offenses against property... ." The Standard also provides that, "an applicant who has engaged in any act falling within the scope of this section that constitutes a misdemeanor... more than one (1) time in his or her life, **will** be found unsuitable for employment." (emphasis supplied)

Prior to Applicant's April 21, 2018 polygraph test, she admitted she committed acts amounting to the offense of Criminal Damage to Property, more than (1) time in her life. While the extent and cost of the property damage she caused in each instance is not specified, at least two of these acts, where she admits to keying one vehicle, and to keying and pulling off the windows of a second vehicle, would certainly constitute the offenses of Criminal Damage to Property, be they misdemeanors or felonies.

Although Applicant was not arrested or convicted for committing those criminal acts, she admitted she intentionally damaged the vehicles of her former boyfriends out of anger. As OPSA points out in their Response, Standard IV.B.1 provides that an applicant "may be disqualified from consideration for a police officer position if there is evidence that the applicant has engaged in criminal conduct, **even if the applicant was never convicted of a criminal offense.**" (Emphasis supplied) OPSA was well within their rights to find Applicant's violent and vindictive conduct disqualifying.

### **Indebtedness**

Applicant's disqualification is mandatory under Standard IV.G. The Standard states, in part, that "any applicant who has current personal debts not related to a business, mortgage loans, student or auto loans, or medical bills the total of which is in excess of fifty percent (50%) of the annual starting salary of a Chicago Police Officer **at the time of application, or at any point during the hiring process will be found unsuitable for employment.** (emphasis supplied) While Applicant asserts that she recently paid off a portion of her credit card debt in order to comply with the Department's debt eligibility requirements, she clearly exceeded the 50% indebtedness allowance during the pendency of the hiring process.



**Conclusion**

Based upon the details provided in OPISA's Notice, Response, and background investigation, Applicant's past conduct indicating violent tendencies, and her indebtedness are grounds for disqualification based on Sections IV.B.7.c and IV.G. of OPISA's Standards. Applicant submitted no additional facts in her Appeal to support a contention that OPISA erred in disqualifying her based upon those standards. Applicant failed to meet her burden of showing, by a preponderance of the evidence, that the decision to remove her from the Eligibility List was erroneous.

**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,

/s/LAUREN A. FREEMAN  
Appeals Officer

Date: February 11, 2025

**POLICE BOARD DECISION**

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

The Police Board hereby adopts the Appeals Officer’s findings, conclusions, and recommendation by a vote of 9 in favor (Kyle Cooper, Claudia Badillo, Steven Block, Tyler Hall, Kathryn Liss, Arlette Porter, Andreas Safakas, Justin Terry, and Cynthia Velazquez) 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: Kyle Cooper, Claudia Badillo, Steven Block, Tyler Hall, Kathryn Liss, Arlette Porter, Andreas Safakas, Justin Terry, and Cynthia Velazquez.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 20<sup>th</sup> DAY OF FEBRUARY 2025.

Attested by:

/s/ KYLE COOPER  
President

/s/ MAX A. CAPRONI  
Executive Director