BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

| IN THE MATTER OF CHARGES FILED AGAINST |) | |
|--|---|------------------|
| POLICE OFFICER LINDA BRUMFIELD, |) | No. 08 PB 2696 |
| STAR No. 13383 DEPARTMENT OF POLICE, |) | |
| CITY OF CHICAGO, |) | (CR No. 1007211) |
| RESPONDENT. |) | |

FINDINGS AND DECISION

On August 21, 2008, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Linda Brumfield, Star No. 13383, (hereinafter sometimes referred to as "Respondent"), recommending that the Respondent be discharged from the Chicago Police Department for violating the following Rules of Conduct:

RULE 1: Violation of any law or ordinance.

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 4: Any conduct or action taken to use the official position for personal gain or influence.

RULE 8: Disrespect to or maltreatment of any person while on or off duty.

RULE 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

RULE 14: Making a false report, written or oral.

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer Linda Brumfield, Star No. 13383, to be heard by Jacqueline A.

Walker, Hearing Officer of the Police Board of the City of Chicago, on November 21, 2008. Following the Hearing, the members of the Police Board read and reviewed the record of proceedings and viewed the video-recording of the testimony of witnesses. Hearing Officer Walker made an oral report to and conferred with the Police Board before it rendered a decision.

As a result of the foregoing, the Police Board of the City of Chicago finds and determines that:

- (1) The Respondent was, at all times mentioned herein, a Police Officer employed by the Department of Police of the City of Chicago;
- (2) The charges were filed, in writing, and a Notice, stating the time, date and place, when and where a hearing on the charges was to be held, together with a copy of the original charges were served upon the Respondent more than five (5) days prior to the hearing on the charges;
- (3) Throughout the hearing, the Respondent appeared in person and represented herself;
- (4) Respondent, Police Officer Linda Brumfield, Star No. 13383, as charged herein, is **guilty** of violating, to-wit:

<u>Rule 1:</u> Violation of any law or ordinance, in that:

On or about July 3, 2007, at approximately 3:45 p.m., at or near 4882 N. Clark, in Chicago, Illinois, she made physical contact of an insulting or provoking nature with Milkos IIyes, in that she pushed Milkos IIyes one or more times, in violation of section 720 ILCS 5/12-3(a)(2).

- (5) Respondent, Police Officer Linda Brumfield, Star No. 13383, as charged herein, is **guilty** of violating, to-wit:
 - Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in the following instances:
 - (A) On or about July 3, 2007, at approximately 3:45 p.m., at or near 4882 N. Clark, in Chicago, Illinois, she pushed Milkos IIyes one or more times.
 - (B) On or about July 3, 2007, at approximately 3:45 p.m., at or near 4882 N. Clark, in Chicago, Illinois, she engaged in an unjustified verbal altercation, in that she directed profanity at Milkos IIyes.
 - (C) On or about July 3, 2007, at approximately 3:45 p.m., at or near 4882 N. Clark, in Chicago, Illinois, she attempted to retrieve a vehicle from Lincoln towing without paying the full fee, and/or threatened to have police pull over Lincoln Towing trucks.
 - (D) On or about December 13, 2007, Police Officer Linda Brumfield made one or more false statements during a formal investigation, including but not limited to, a statement that her physical contact with Milkos IIyes was "inadvertent," and/or occurred as she lost her balance.
- (6) Respondent, Police Officer Linda Brumfield, No. 13383, as charged herein, is guilty of violating, to-wit:

Rule 4: Any conduct or action taken to use the official position for personal gain or influence, in that:

On or about July 3, 2007, at approximately 3:45 p.m., at or near 4882 N. Clark, in Chicago, Illinois, she attempted to use her Department position to influence and/or for personal gain, to wit: she engaged in acts, which included but were not limited to, attempting to retrieve a vehicle from Lincoln Towing without paying the full, fee, and/or threatening to have police pull over Lincoln Towing trucks.

(7) Respondent, Police Officer Linda Brumfield, No. 13383, as charged herein, is **guilty** of violating, to-wit:

Rule 8: Disrespect to or maltreatment of any person while on or off duty, in the following instances:

- (A) On or about July 3, 2007, at approximately 3:45 p.m., at or near 4882 N. Clark, in Chicago, Illinois, she pushed Milkos IIyes one or more times.
- (B) On or about July 3, 2007, at approximately 3:45 p.m., at or near 4882 N. Clark, in Chicago, Illinois, she engaged in an unjustified verbal altercation, in that she directed profanity at Milkos IIyes.
- (8) Respondent, Police Officer Linda Brumfield, Star No. 13383, as charged herein, is **guilty** of violating, to-wit:

Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty, in the following instances:

- (A) On or about July 3, 2007, at approximately 3:45 p.m., at or near 4882 N. Clark, in Chicago, Illinois, she pushed Milkos IIyes one or more times.
- (B) On or about July 3, 2007, at approximately 3:45 p.m., at or near 4882 N. Clark, in Chicago, Illinois, she engaged in an unjustified verbal altercation in that she directed profanity at Milkos IIyes.
- (9) Respondent, Police Officer Linda Brumfield, No. 13383, as charged herein, is **guilty** of violating, to-wit:

Rule 14: Making a false report, written or oral, in that:

On or about December 13, 2007, she made one or more false statements during a formal investigation, including but not limited to, a statement that her physical contact with Milkos IIyes was "inadvertent," and/or occurred as she lost her balance.

By reason of the findings of fact and guilt set forth herein, cause exists for the suspension of the Respondent, Police Officer Linda Brumfield, Star No. 13383, from her position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period from August 23, 2008, to and including March 8, 2009.

A police officer in the Department must "have the physical stamina and psychological/emotional stability to properly perform all required police duties," according to Article VII of the Rules and Regulations of the Department. The Respondent's fitness for duty was not an issue the Superintendent presented to the Board. Nonetheless, by reason of the findings of fact set forth herein and the nature of the Respondent's conduct and her demeanor during the proceedings before the Board, cause exists for the Board to order the Respondent to undergo evaluation by a medical professional to determine whether the Respondent has the physical stamina and psychological/emotional stability to properly perform all required police duties, and for the Board to further order that the Respondent comply with any and all counseling and/or treatment prescribed as a result of the above evaluation.

Respectfully submitted,

JACQUELINE A. WALKER

Hearing Officer

DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses, having received the oral report of the Hearing Officer, Jacqueline A. Walker, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts all findings herein; and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the Respondent's complimentary and disciplinary histories, copies of which are attached hereto as Exhibit A; and

IT IS HEREBY ORDERED that the Respondent, Police Officer Linda Brumfield, Star No. 13383, as a result of having been found guilty of charges in Police Board Case No. 08 PB 2696, be and hereby is suspended from her position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period from 23 August 2008 to and including __08 March __2009*______.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 25th DAY
OF FEBRUARY, 2009.

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Attested by:

Executive Director Police Board

Max A Capion

*IT IS FURTHER ORDERED that the Respondent undergo evaluation and comply with any and all prescribed counseling and/or treatment for the reasons and purpose described above in the Findings.

DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses, having received the oral report of the Hearing Officer, Jacqueline A. Walker, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts all findings herein; and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the Respondent's complimentary and disciplinary histories, copies of which are attached hereto as Exhibit A; and

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DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 25th DAY

OF FEBRUARY, 2009.

Attested by:

Executive Director

Police Board

*IT IS FURTHER ORDERED that the Respondent undergo evaluation and comply with any and all prescribed counseling and/or treatment for the reasons and purpose described above in the Findings.

DISSENT

The following members of the Police Board hereby dissent from the decision of the majority of the Board.

| , , , , , , , , , , , , , , , , , , , | |
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| The undersigned voted to find the Respondent be discharged. | espondent guilty of all charges and to order that the |
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| RECEIVED A COPY OF | |
| THE FOREGOING COMMUNICATION | |
| THISDAY OF | , 2009. |
| SUPERINTENDENT OF POLICE | |

Report Date: 07 Mar 2008 Report Time: 1542 Hrs

Chago Police Department

Personnel Division



Information Services Division

Data Warehouse Produced by: PC0X977

Complimentary History

| Name Zz | Hile?** | Ç Star es | väUnit 🐄 | Detail Unit | Emp Numbe |
|--------------------|---------|-----------|----------|-------------|-----------|
| BRUMFIELD, LINDA J | 9161 | 13383 | 023 | 376 | 12290 |

| Achievements | Total No. |
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| DEPARTMENT COMMENDATION | 1 |
| EMBLEM OF RECOGNITION - PHYSICAL FITNESS | 1 |
| COMPLIMENTARY LETTER | 27 |
| HONORABLE MENTION | 20 |

CR# 1007221





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LICE DEPARTMENT CHICAGO :

20-NOV-

Sustained Complaints History Report

| Sex Race | <u>Name</u> BRUMFIELD LINDA J. | Birth Date | Appointed Date | <u>Star #.</u> 13383 <u>No. Of CR's</u> | Emp. # 12290 <u>No.</u> | Rank 9161 Of SPAR's | Description POLICE OFFICER | 376 Unit | |
|--|-------------------------------------|--|--|---|-------------------------------|----------------------------|----------------------------|----------------------------|--|
| F BLACK Case #. C 309808 Civil Suit # | Incident Date 22-NOV-2005 | <u>Suspension Date</u> 11-JUL-2007 30-JUL-2007 | 25-OCT-1999 Les <u>Disciplinary A</u> 20 DAY SUSPEI Police Board | NSION | | 0 Cutegory Subordina | TION (| Less Serious Transgression | |
| Case #. C 1001484 Civil Suit # Comments | <u>Incident Date</u> 21-NOV-2008 | <u>Suspension Dan</u> 07-NOV-2007 07-NOV-2007 | es <u>Disciplinary A</u> 1 DAY SUSPEN Police Board | SION | | Calegory PERS | ONIPROPERTY | Less Serious Transgression | |
| Case #. C 1007282 Civil Suit # Comments | Incident Date 05-JUL-2007 | <u>Suspension Date</u> 14-APR-2008 23-APR-2008 | es <u>Disciplinary A</u> 10 DAY SUSPEN Police Board | VICIEN WOISI | 10L- | | ON/UNIFORM | Less Serious Transgression | |
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BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

| IN THE MATTER OF CHARGES FILED AGAINST |) | |
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| POLICE OFFICER LINDA BRUMFIELD, |) | No. 08 PB 2696 |
| STAR No. 13383 DEPARTMENT OF POLICE, |) | |
| CITY OF CHICAGO, |) | (CR No. 1007211) |
| RESPONDENT. |) | |

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Walker, Hearing Officer of the Police Board of the City of Chicago, on November 21, 2008. Following the Hearing, the members of the Police Board read and reviewed the record of proceedings and viewed the video-recording of the testimony of witnesses. Hearing Officer Walker made an oral report to and conferred with the Police Board before it rendered a decision.

As a result of the foregoing, the Police Board of the City of Chicago finds and determines that:

- (1) The Respondent was, at all times mentioned herein, a Police Officer employed by the Department of Police of the City of Chicago;
- (2) The charges were filed, in writing, and a Notice, stating the time, date and place, when and where a hearing on the charges was to be held, together with a copy of the original charges were served upon the Respondent more than five (5) days prior to the hearing on the charges;
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 - (D)On or about December 13, 2007, Police Officer Linda Brumfield made one or more false statements during a formal investigation, including but not limited to, a statement that her physical contact with Milkos IIyes was "inadvertent," and/or occurred as she lost her balance.
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Rule 4: Any conduct or action taken to use the official position for personal gain or influence, in that:

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<u>Rule 14</u>: Making a false report, written or oral, in that:

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By reason of the findings of fact and guilt set forth herein, cause exists for the suspension of the Respondent, Police Officer Linda Brumfield, Star No. 13383, from her position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period from August 23, 2008, to and including March 8, 2009.

A police officer in the Department must "have the physical stamina and psychological/emotional stability to properly perform all required police duties," according to Article VII of the Rules and Regulations of the Department. The Respondent's fitness for duty was not an issue the Superintendent presented to the Board. Nonetheless, by reason of the findings of fact set forth herein and the nature of the Respondent's conduct and her demeanor during the proceedings before the Board, cause exists for the Board to order the Respondent to undergo evaluation by a medical professional to determine whether the Respondent has the physical stamina and psychological/emotional stability to properly perform all required police duties, and for the Board to further order that the Respondent comply with any and all counseling and/or treatment prescribed as a result of the above evaluation.

Respectfully submitted,

JACQUELINE A. WALKER

Hearing Officer

DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses. having received the oral report of the Hearing Officer, Jacqueline A. Walker, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts all findings herein; and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the Respondent's complimentary and disciplinary histories, copies of which are attached hereto as Exhibit A; and

IT IS HEREBY ORDERED that the Respondent, Police Officer Linda Brumfield, Star No. 13383, as a result of having been found guilty of charges in Police Board Case No. 08 PB 2696, be and hereby is suspended from her position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period from 23 August 2008 to and including 08 March 2009*

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 25th DAY OF FEBRUARY, 2009.

Attested by:

Executive Director

Police Board

Max A Caproni

*IT IS FURTHER ORDERED that the Respondent undergo evaluation and comply with any and all prescribed counseling and/or treatment for the reasons and purpose described above in the Findings.

DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses, having received the oral report of the Hearing Officer, Jacqueline A. Walker, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts all findings herein; and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the Respondent's complimentary and disciplinary histories, copies of which are attached hereto as Exhibit A; and

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DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 25th DAY OF FEBRUARY, 2009.

Attested by:

Executive Director

Police Board

*IT IS FURTHER ORDERED that the Respondent undergo evaluation and comply with any and all prescribed counseling and/or treatment for the reasons and purpose described above in the Findings.

DISSENT

The following members of the Police Board hereby dissent from the decision of the majority of the Board.

| The undersigned voted to find the ReRespondent be discharged. | espondent guilty of all charges and to order that the |
|---|---|
| RECEIVED A COPY OF | |
| THE FOREGOING COMMUNICATION | |
| THISDAY OF | , 2009. |
| SUPERINTENDENT OF POLICE | |

Report Date: 07 Mar 2008 Report Time: 1542 Hrs

Chago Police Depatment

Personnel Division



Information Services Division

Data Warehouse Produced by: PC0X977

Complimentary History

| Name | Title | çişi\$tarıs≛€ | '⊹∄Unit sa | Detail Unit | Emp:Numbe |
|--------------------|-------|---------------|------------|-------------|-----------|
| BRUMFIELD, LINDA J | 9161 | 13383 | 023 | 376 | 12290 |

| Achievements | Total No. |
|--|-----------|
| DEPARTMENT COMMENDATION | 1 |
| EMBLEM OF RECOGNITION - PHYSICAL FITNESS | 1 |
| COMPLIMENTARY LETTER | 27 |
| HONORABLE MENTION | 20 |

CR# 1007221





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| Sustained Complaints History Report | CHICA | GO LICE | DEPARTME | NT |
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| Case #. | Incident Date | Suspension Date. | s <u>Disciplinary A</u> | ction Taken | Final Category | | Less Serious Transgression | |
| C 309808 | 22-NOV-2005 | 11-JUL-2007 | 20 DAY SUSPEI | | 10M-INSUBORDINAT | TON NOT | ,1 | |
| Civil Suit # | | 30-JUL-2007 | <u>Police Board</u> | <u> </u> | | 54. | | |
| Comments | | | | | - 10 | <u>~</u> | | - |
| <u>Case #.</u> | Incident Date | Suspension Dates | | | Final Category | | Less Serious Transgression | |
| C 1001484 | 21-NOV-2008 | 07-NOV-2007 | 1 DAY SUSPEN <u>Police Board</u> | | 04D-SEARCH PERS | ONPROPERTY | | |
| Civil Suit # | | 07-NOV-2007 | | | | | | |
| Comments Case #. | Incident Date | Suspension Dates | Disciplinary A | ction Taken | Final Category | | Less Serious Transgression | |
| C 1007282 | 05-JUL-2007 | 14-APR-2008 | 10 DAY SUSPEN | . !!! | 10L- | | LESS SETTOUS TI UTS ET ESSION | |
| Civil Suit # | 03.000. | 23-APR-2008 | Police Board | <i>-</i> | WEAPONIAMMUNITH | ON/UNIFORM | | |
| Comments | | | ~ | | DEVIATION | | | |
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