

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
FIELD TRAINING OFFICER DAVID RAMOS,) No. 08 PB 2700
STAR No. 6737, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT) (CR No.1005000)

FINDINGS

On December 10, 2008, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Field Training Officer David Ramos, Star No. 6737 (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 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- 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 caused a hearing on these charges against Field Training Officer David Ramos to be had before Michael G. Berland, Hearing Officer of the Police Board, on July 14, July 21, August 4, September 1, and September 23, 2009.

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 the witnesses. Michael G. Berland, Hearing Officer, made an oral report to and conferred with the Police Board before it rendered a decision.

The Police Board of the City of Chicago, as a result of its hearing of the charges, finds and determines that:

1. The Respondent was at all times mentioned herein employed as a field training officer 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 of 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. The Respondent appeared throughout the hearing and was represented by legal counsel.

4. The Respondent, Field Training Officer David Ramos, Star No. 6737, 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 that:

Count I: On or about April 18, 2007, he failed to complete a Tactical Response Report after using force against Jonathan Richmond, in violation of Police Department General Order 02-08-05, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count II: On or about April 18, 2007, he failed to complete a contact card on Jonathan Richmond, a citizen whom he placed in handcuffs during a traffic stop, in violation of Police Department Special Order 03-09, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count III: On or about April 18, 2007, while assisting the Illinois State Police with a traffic stop, he kicked or struck Jonathan Richmond on his chest without justification, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count IV: On or about April 18, 2007, while assisting the Illinois State Police with a traffic stop, he directed profanities and/or racial slurs at Jonathan Richmond, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count V: On or about April 18, 2007, while training Probationary Police Officer Jola Lech, he kicked or struck Jonathan Richmond with his foot without justification, directed profanities and/or racial slurs towards Jonathan Richmond, failed to complete a Tactical Response Report after using force against Jonathan Richmond, and/or failed to complete a contact card after detaining Jonathan Richmond, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count VI: On or about December 11, 2007, during a statement to the Office of Professional Standards, he impeded the Department's efforts to achieve its policy and goals and/or brought discredit upon the Department when he made the following false statements pertaining to an April 18, 2007, traffic stop: he "ran across the street to the car," or words to that effect; he took out his gun and pointed it at the passenger of the car, or words to that effect; the passenger of the vehicle was trying to stand up when he (the Respondent) struck him with his foot, or words to that effect; he never looked at the passenger before striking him with his foot, or words to that effect; he (the Respondent) was in the vehicle when he struck the passenger with his foot, or words to that effect; his (the

Respondent's) hands were in the vehicle when he struck the passenger with his foot, or words to that effect; he did not have time to speak with the state trooper on the scene prior to handcuffing the passenger, or words to that effect; and he did not have time to ask his partner to keep the passenger from moving, or words to that effect.

5. The Respondent, Field Training Officer David Ramos, Star No. 6737, charged herein, is **guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral,

in that:

Count I: On or about April 18, 2007, he failed to complete a Tactical Response Report after using force against Jonathan Richmond, in violation of Police Department General Order 02-08-05, thereby disobeying an order or directive, whether written or oral.

Count II: On or about April 18, 2007, he failed to complete a contact card on Jonathan Richmond, a citizen whom he placed in handcuffs during a traffic stop, in violation of Police Department Special Order 03-09, thereby disobeying an order or directive, whether written or oral.

6. The Respondent, Field Training Officer David Ramos, Star No. 6737, charged herein, is **guilty** of violating, to wit:

Rule 8: Disrespect to or maltreatment of any person, while on or off duty,

in that:

Count I: On or about April 18, 2007, while assisting the Illinois State Police with a traffic stop, he kicked or struck Jonathan Richmond on his chest without justification, thereby disrespecting or maltreating any person, while on or off duty.

Count II: On or about April 18, 2007, while assisting the Illinois State Police with a traffic stop, he directed

profanities and/or racial slurs at Jonathan Richmond, thereby disrespecting or maltreating any person, while on or off duty.

7. The Respondent, Field Training Officer David Ramos, Star No. 6737, 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 that:

Count I: On or about April 18, 2007, while assisting the Illinois State Police with a traffic stop, he kicked or struck Jonathan Richmond on his chest without justification, thereby engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

Count II: On or about April 18, 2007, while assisting the Illinois State Police with a traffic stop, he directed profanities and/or racial slurs at Jonathan Richmond, thereby engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

8. The Respondent, Field Training Officer David Ramos, Star No. 6737, charged herein, is **guilty** of violating, to wit:

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

in that:

On or about December 11, 2007, during a statement to the Office of Professional Standards, he made the following false statements pertaining to an April 18, 2007, traffic stop: he "ran across the street to the car," or words to that effect; he took out his gun and pointed it at the passenger of the car, or words to that effect; the passenger of the vehicle was trying to stand up when he (the Respondent) struck him with his foot, or words to that effect; he never looked at the passenger before striking him with his foot, or words to that effect; he (the

Respondent) was in the vehicle when he struck the passenger with his foot, or words to that effect; his (the Respondent's) hands were in the vehicle when he struck the passenger with his foot, or words to that effect; he did not have time to speak with the state trooper on the scene prior to handcuffing the passenger, or words to that effect; and/or he did not have time to ask his partner to keep the passenger from moving, or words to that effect.

By reason of the findings of fact and guilt set forth herein, cause exists for the discharge of the Respondent, Field Training Officer David Ramos, Star No. 6737, from his position as a field training officer with the Department of Police, and from the services of the City of Chicago.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michael G. Berland". The signature is written in dark ink and includes a stylized flourish at the end.

MICHAEL G. BERLAND
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, Michael G. Berland, 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, Field Training Officer David Ramos, Star No. 6737, as a result of having been found **guilty** of charges in Police Board Case No. 08 PB 2700, be and hereby is **discharged** from his position as a field training officer with the Department of Police, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
15th DAY OF OCTOBER, 2009.

Patricia C. Bull
Scott J. Dyer
Victor Gonzalez
William J. Lee
Phenry L. Miller
John J. Smith
Deputy J

Attested by:

Max A. Caproni

Executive Director
Police Board

DECISION

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DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
15th DAY OF OCTOBER, 2009.

Patricia C. Bell
Scott J. Dwyer
Victor Gonzalez
William J. Kelly
Johnny L. Miller
Patricia J. Miller
Debra J. Miller
Cheryl J. Miller

Attested by:

Max A. Caproni

Executive Director
Police Board

Police Board Case No. 08 PB 2700
Field Training Officer David Ramos
Page 7B

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, Michael G. Berland, 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, Field Training Officer David Ramos, Star No. 6737, as a result of having been found **guilty** of charges in Police Board Case No. 08 PB 2700, be and hereby is **discharged** from his position as a field training officer with the Department of Police, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
15th DAY OF OCTOBER, 2009.

Patricia C. Bobb
Scott J. Dwyer
Victor J. Gargano
William J. Lee
Pheney L. Miller
John J. Quinn
Deputy J.
Chris S. Smith

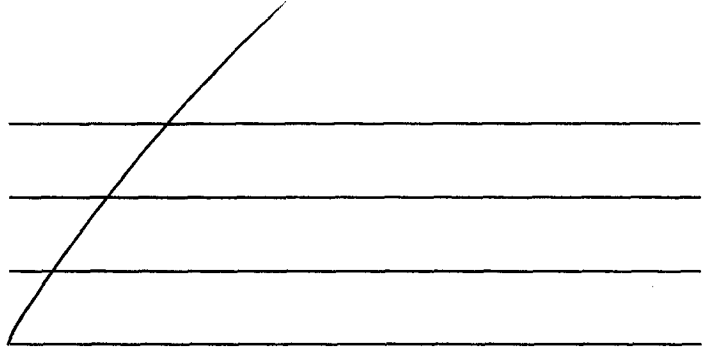
Attested by:

Max A. Caproni

Executive Director
Police Board

DISSENT

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



RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

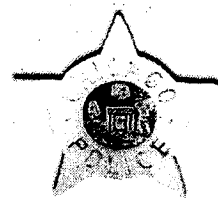
THIS _____ DAY OF _____, 2009.

SUPERINTENDENT OF POLICE

Report Date: 28 Mar 2008
Report Time: 1547 Hrs

Chicago Police Department

Personnel Division



Information Services Division
Data Warehouse
Product: PC0X417

Complimentary History

| Name | Title | Star | Unit | Detail Unit | Emp Number |
|-------------|-------|------|------|-------------|------------|
| AMOS, DAVID | 9164 | 6737 | 014 | | 24428 |

Achievements

Total No.

| |
|--|
| SPECIAL COMMENDATION |
| HONORABLE MENTION |
| EMBLEM OF RECOGNITION - PHYSICAL FITNESS |
| COMPLIMENTARY LETTER |
| DEPARTMENT COMMENDATION |

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35
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CPD 1005000



NOTE: THIS REPORT IS FOR OFFICIAL LAW
ENFORCEMENT / AUTHORIZED USE ONLY.
THE INFORMATION IS CURRENT AS OF THE

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

28 MARCH 2008

TO: COMMANDER OFFICER UNIT 113

FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

| | | | |
|-------|--------------|-----------|------|
| RAMOS | DAVID | 6737 | 014 |
| NAME | (LAST,FIRST) | STAR | UNIT |
| MALE | HISP | 24428 | |
| SEX | RACE | EMPLOYEE# | |

REFERENCE: COMPLAINT REGISTER/ LOG NUMBER 1005000

THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT
ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

| | | | | |
|---------|------|------|-----------|------|
| INVEST. | SOTO | 113 | | |
| RANK | NAME | STAR | EMPLOYEE# | UNIT |

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE
ABOVE REFERENCE COMPLAINT LOG NUMBER.

THE RECORDS SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSED THE
FOLLOWING DISCIPLINARY ACTION ADMINISTERED TO THE SUBJECT
ACCUSED FOR THE PAST FIVE(5) YEARS.

VERIFIED/PREPARED BY:

NIYA SCOTT

NONE ☒
SEE ATTACHED ☐

FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

~~06 PB-2101~~

CHARGES

Field Training Officer David Ramos, Star Number 6737, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- 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 6: Disobedience of an order or directive, whether written or oral.
- 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.

SPECIFICATIONS

1. Field Training Officer David Ramos, Star Number 6737, is charged with violating 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 one or more of the following instances:

- Count I: On or about April 18, 2007, Field Training Officer David Ramos failed to complete a Tactical Response Report after using force against Jonathan Richardson, in violation of General Order 02-08-05, thereby impeding the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.
- Count II: On or about April 18, 2007, Field Training Officer David Ramos failed to complete a contact card on Jonathan Richardson, a citizen whom he placed in handcuffs during a traffic stop, in violation of Department Special Order 03-09, thereby impeding the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.
- Count III: On or about April 18, 2007, Field Training Officer David Ramos, while assisting the Illinois State Police with a traffic stop, kicked or struck Jonathan Richardson on his chest without justification, thereby impeding the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.
- Count IV: On or about April 18, 2007, Field Training Officer David Ramos, while assisting the Illinois State Police with a traffic stop, directed profanities

and/or racial slurs at Jonathan Richardson, thereby impeding the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.

- Count V: On or about April 18, 2007, Field Training Officer David Ramos, while training Probationary Police Officer Jola Lech, kicked or struck Jonathan Richardson with his foot without justification; directed profanities and/or racial slurs towards Jonathan Richardson; failed to complete a Tactical Response Report after using force against Jonathan Richardson; and/or failed to complete a contact card after detaining Jonathan Richardson, thereby impeding the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.
- Count VI: On or about December 11, 2007, during a statement to the Office of Professional Standards, Field Training Officer David Ramos made the following false statements pertaining to an April 18, 2007, traffic stop: he "ran across the street to the car," or words to that effect; he took out his gun and pointed it at the passenger of the car, or words to that effect; the passenger of the vehicle was trying to stand up when Ramos struck him with his foot, or words to that effect; he never looked at the passenger before striking him with his foot, or words to that effect; Ramos was in the vehicle when he struck the passenger with his foot, or words to that effect; Ramos' hands were in the vehicle when he struck the passenger with his foot, or words to that effect; he did not have time to speak with the State Trooper on the scene prior to handcuffing the passenger, or words to that effect; and he did not have time to ask his partner to keep the passenger from moving, or words to that effect, thereby impeding the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.

2. Field Training Officer David Ramos, Star Number 6737, is charged with violating Rule 6, "Disobedience of an order or directive, whether written or oral," in one or more of the following instances:

- Count I: On or about April 18, 2007, Field Training Officer David Ramos failed to complete a Tactical Response Report after using force against Jonathan Richardson, in violation of General Order 02-08-05, thereby disobeying an order or directive, whether written or oral.
- Count II: On or about April 18, 2007, Field Training Officer David Ramos failed to complete a contact card on Jonathan Richardson, a citizen whom he placed in handcuffs during a traffic stop, in violation of Department Special Order 03-09, thereby disobeying an order or directive, whether written or oral.

3. Field Training Officer David Ramos, Star Number 6737, is charged with violating

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

- Count I: On or about April 18, 2007, Field Training Officer David Ramos, while assisting the Illinois State Police with a traffic stop, kicked or struck Jonathan Richardson on his chest without justification, thereby disrespecting or maltreating any person, while on or off duty.
- Count II: On or about April 18, 2007, Field Training Officer David Ramos, while assisting the Illinois State Police with a traffic stop, directed profanities and/or racial slurs at Jonathan Richardson, thereby disrespecting or maltreating any person, while on or off duty.

4. Field Training Officer David Ramos, Star Number 6737, is charged with violating Rule 9, "Engaging in any unjustified verbal or physical altercation with any person, while on or off duty," in one or more of the following instances:

- Count I: On or about April 18, 2007, Field Training Officer David Ramos, while assisting the Illinois State Police with a traffic stop, kicked or struck Jonathan Richardson on his chest without justification, thereby engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Count II: On or about April 18, 2007, Field Training Officer David Ramos, while assisting the Illinois State Police with a traffic stop, directed profanities and/or racial slurs towards Jonathan Richardson, thereby engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

5. Field Training Officer David Ramos, Star Number 6737, is charged with violating Rule 14, "Making a false report, written or oral," in the following instance:

- Count I: On or about December 11, 2007, during a statement to the Office of Professional Standards, Field Training Officer David Ramos made the following false statements pertaining to an April 18, 2007, traffic stop: he "ran across the street to the car," or words to that effect; he took out his gun and pointed it at the passenger of the car, or words to that effect; the passenger of the vehicle was trying to stand up when Ramos struck him with his foot, or words to that effect; he never looked at the passenger before striking him with his foot, or words to that effect; Ramos was in the vehicle when he struck the passenger with his foot, or words to that effect; Ramos' hands were in the vehicle when he struck the passenger with his foot, or words to that effect; he did not have time to speak the State Trooper on the scene prior to handcuffing the passenger, or words to that effect; and/or he did not have time to ask his partner to keep the

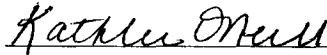
passenger from moving, or words to that effect, thereby making a false report, written or oral.

Based on the foregoing charges and specifications, the Superintendent recommends that Field Training Officer David Ramos be discharged from the Chicago Police Department.



JODY P. WEIS
Superintendent of Police

APPROVED AS TO FORM



KATHLEEN O'NEILL
Assistant Corporation Counsel
Labor Division

P.B. CASE # FILED

08 - 2700 DEC 10 2008

CHICAGO POLICE BOARD

CHICAGO POLICE DEPARTMENT
Sustained Complaints History Report

14-DEC-20

1:38:04 PM

| <u>Social Sec. #</u> | <u>Name</u> | <u>Star #</u> | <u>Emp. #</u> | <u>Rank</u> | <u>Description</u> | <u>Unit</u> |
|----------------------|--------------------|---------------|---------------|-------------|--------------------|-------------|
| ██████████ | PEMBERTON BRIAN P. | | 37881 | 9122 | DETENTION AIDE | 005 |

| <u>Sex</u> | <u>Race</u> | <u>Birth Date</u> | <u>Appointed Date</u> | <u>No. Of CR's</u> | <u>No. Of SPAR's</u> |
|------------|-------------|-------------------|-----------------------|--------------------|----------------------|
| M | WHITE | ██████████ | 16-DEC-1997 | 2 | 0 |

| <u>Case #.</u> | <u>Incident Date</u> | <u>Suspension Dates</u> | <u>Disciplinary Action Taken</u> | <u>Final Category</u> | <u>Less Serious Transgression</u> |
|---------------------|----------------------|-------------------------|----------------------------------|---------------------------------|-----------------------------------|
| C 268581 | 18-JAN-2001 | 15-AUG-2003 | 30 DAY SUSPENSION | 05K-DOMESTIC | |
| <u>Civil Suit #</u> | | 14-SEP-2001 | <u>Police Board #</u> | ALTERCATION/INCIDENT - OFF DUTY | |
| <u>Comments</u> | | | | | |

| <u>Case #.</u> | <u>Incident Date</u> | <u>Suspension Dates</u> | <u>Disciplinary Action Taken</u> | <u>Final Category</u> | <u>Less Serious Transgression</u> |
|---------------------|----------------------|-------------------------|----------------------------------|---------------------------|-----------------------------------|
| C 278440 | 17-FEB-2002 | | REPRIMAND | 04E-PRISONER'S PROPERTY - | |
| <u>Civil Suit #</u> | | | <u>Police Board #</u> | INVENTORY/RECEIPT | |
| <u>Comments</u> | | | | | |

Ex. A, 3 of 3

ONLY