

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

IN THE MATTER OF THE)	
RECOMMENDATION FOR DISCIPLINE OF)	No. 19 RR 06
SERGEANT IVAN RAMOS,)	
STAR No. 2338, DEPARTMENT OF POLICE,)	
CITY OF CHICAGO)	(CR No. 1088996)

REQUEST FOR REVIEW

On April 30, 2019, the Office of the Police Board of the City of Chicago received from the Chief Administrator of the Civilian Office of Police Accountability (“COPA”) a request for review of the Chief Administrator’s recommendation for discipline of Sergeant Ivan Ramos, Star No. 2338, arising out of the investigation of Complaint Register No. 1088996 (“Request for Review”).

The Chief Administrator recommended that the following allegation against Sergeant Ramos be *Sustained*:

Allegation No. 2: On December 3, 2016, at approximately 10:55 p.m., in the vicinity of 4715 West Congress Parkway, Chicago, Sergeant Ramos searched [an individual’s] vehicle without justification, in violation of Rule 6—Disobedience of an order or directive, whether written or oral.

The Chief Administrator recommended that Sergeant Ramos be issued a Reprimand.

The Superintendent objected to the Chief Administrator’s recommendation. The Superintendent recommended that the above allegation be classified as *Unfounded*.

According to the Certificate submitted by the Chief Administrator: (1) the Chief Administrator issued the recommendation for discipline on February 21, 2019; (2) the Chief Administrator received the Superintendent’s written response on April 8, 2019; (3) the Chief Administrator’s designees met with the Superintendent’s designees in person and discussed this

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matter on April 22, 2019; and (4) the Request for Review was sent via email to the Executive Director of the Police Board on April 29, 2019.

The Executive Director of the Police Board prepared and forwarded the Request for Review file to John P. O'Malley Jr., the member of the Police Board who was selected on a random basis, pursuant to Article VI of the Police Board's Rules of Procedure ("Reviewing Member"). The Reviewing Member considered the Request for Review pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago and Article VI of the Police Board's Rules of Procedure.

OPINION

It is my opinion that the Superintendent has met his burden of overcoming the Chief Administrator's recommendation for discipline. Based on a thorough review of the Request for Review file, I do not believe the preponderance of the evidence demonstrates that Sergeant (then-Officer) Ramos violated Rule 6, and therefore I do not believe that the recommendation of a "Reprimand" is warranted. Sergeant Ramos stopped [an individual's] vehicle after observing him engaging in possible narcotic sales. Once [the individual], who never left his vehicle, locked his doors and refused to follow the verbal commands of the officer(s), higher suspicion that his vehicle contained evidence of a crime was present. In my opinion, the Superintendent's position that based on all the factors of this particular incident, Sergeant Ramos was authorized to search the vehicle, is more reasonable and appropriate than the Chief Administrator's recommendation.

While I do not believe that a sustained finding and reprimand are warranted in this case, I believe Sergeant Ramos would benefit from a review of this matter under the direction of his

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first line lieutenant to ensure that the reasons for the findings in this case are communicated to Sergeant Ramos.

For these reasons, the Superintendent met his burden of overcoming the Chief Administrator's recommendation for discipline. Therefore, pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago, the Superintendent's response—that Allegation No. 2 be classified as *Unfounded*—shall be implemented.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 07th DAY OF MAY, 2019.

/s/ JOHN P. O'MALLEY JR.
Member
Police Board

Attested by:

/s/ MAX A. CAPRONI
Executive Director
Police Board