

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

IN THE MATTER OF THE)	
RECOMMENDATIONS FOR DISCIPLINE OF)	
POLICE OFFICER GREGORY SMITH, STAR No. 8823,)	No. 22 RR 20
AND)	
POLICE OFFICER BETTY WHITFIELD, STAR No. 7235,)	No. 22 RR 21
DEPARTMENT OF POLICE,)	
CITY OF CHICAGO.)	(CR No. 2019-5064)

REQUEST FOR REVIEW

On September 29, 2022, the Executive Director of the Police Board of the City of Chicago received from the Chief Administrator of the Civilian Office of Police Accountability a request for review of the Chief Administrator’s recommendations for discipline of Police Officer Gregory Smith, Star No. 8823, and Police Officer Betty Whitfield, Star No. 7235, arising out of the investigation of Complaint Register No. 2019-5064 (“Request for Review”).

The investigation stems from an incident that took place on December 12, 2019. According to the Summary Report of Investigation, Officers Smith and Whitfield were parked on State Street near 107th Street when their license plate reader alerted them to a stolen Jeep Grand Cherokee traveling northbound on State Street. After using their Portable Data Terminal (PDT) to confirm that the vehicle was reported stolen, the officers attempted to stop the vehicle. The vehicle fled at a high rate of speed, and ultimately crashed into a single-family home at 10220 South Wentworth Avenue. The Jeep’s driver was pronounced dead on scene; two passengers in the vehicle were transported to University of Chicago Hospital in stable condition. Following the conclusion of the investigation, the Chief Administrator issued recommendations for discipline of Officers Smith and Whitfield. The Superintendent of Police did not agree with the Chief Administrator’s recommendations and proposed less discipline for Officers Smith and Whitfield.

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The Chief Administrator recommended that the following allegations against Officer Smith be *Sustained*:

On or about December 12, 2019, at approximately 7:20 p.m., at or near 10220 South Wentworth Avenue in Chicago, Officer Smith:

1. Failed to comply with Chicago Police Department Special Order S03-14 by failing to activate his body-worn camera in a timely manner;
2. Failed to comply with Chicago Police Department Notice D19-01 by failing to notify the Office of Emergency Management and Communication that he pointed a firearm at or in the direction of the occupants of a Jeep Grand Cherokee;
3. Pointed a firearm at or in the direction of the occupants of a Jeep Grand Cherokee without justification;
4. Failed to comply with Chicago Police Department General Order G03-03-02, III, A, in that he failed to activate the emergency-roof lights and/or siren when engaged in non-pursuit emergency vehicle operation;
5. Failed to comply with Chicago Police Department General Order G03-03 in that he failed to drive with due regard for the safety of all persons; and
6. Failed to comply with Chicago Police Department General Order G03-03-01, III, C, 2, by continuing pursuit of a reportedly stolen vehicle that disregarded traffic control devices.

The Chief Administrator recommended discipline for Officer Smith of a suspension of one-hundred-eighty (180) days up to and including discharge from the Chicago Police Department.

The Superintendent disagreed with the Chief Administrator's recommendation for discipline of Officer Smith. The Superintendent did not agree that Allegation No. 5 be *Sustained*, agreed that Allegation Nos. 1 – 4 and 6 be *Sustained*, and recommended that that Officer Smith be suspended for thirty (30) days.

The Chief Administrator recommended that the following allegations against Officer Whitfield be *Sustained*:

On or about December 12, 2019, at approximately 7:20 p.m., at or near 10220 South

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Wentworth Avenue in Chicago, Officer Whitfield:

1. Failed to comply with Chicago Police Department Special Order S03-14 by failing to activate her body-worn camera in a timely manner;
2. Failed to comply with Chicago Police Department General Order G03-03-01, III, C, 2, by continuing pursuit of a reportedly stolen vehicle that disregarded traffic control devices; and
3. Failed to comply with Chicago Police Department General Order G03-03-02, III, A, in that she failed to activate the emergency-roof lights and/or siren when engaged in non-pursuit emergency vehicle operation.

The Chief Administrator recommended discipline for Officer Whitfield of a suspension of one-hundred-eighty (180) days up to and including discharge from the Chicago Police Department.

The Superintendent disagreed with the Chief Administrator's recommendation for discipline of Officer Whitfield. The Superintendent did not agree that Allegation Nos. 2 and 3 be *Sustained*, agreed that Allegation No. 1 be *Sustained*, and recommended that that Officer Whitfield be suspended for five (5) days.

According to the Certificate submitted by the Chief Administrator: (1) the Chief Administrator issued the recommendations for discipline on March 31, 2022; (2) the Chief Administrator received the Superintendent's written response on June 28, 2022; (3) the Chief Administrator's designees met with the Superintendent's designees and concluded their discussion of this matter on September 22, 2022; and (4) the Request for Review was sent via email to the Executive Director of the Police Board on September 29, 2022.

The Executive Director of the Police Board prepared and forwarded the Request for Review file to Mareil  B. Cusack, 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"). On October 13, 2022, the Reviewing Member reviewed the Request for Review

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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, based on a thorough review of the Request for Review material, the
Superintendent did not meet the burden of overcoming the Chief Administrator's
recommendations for discipline. Therefore, pursuant to Section 2-78-130(a)(iii) of the
Municipal Code of Chicago, the Chief Administrator's recommendations for discipline of Police
Officer Gregory Smith, Star No. 8823, and Police Officer Betty Whitfield, Star No. 7235, shall
be deemed accepted by the Superintendent.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 14th DAY
OF OCTOBER, 2022.

/s/ MAREILÉ B. CUSACK
Member
Police Board

Attested by:

/s/ MAX A. CAPRONI
Executive Director
Police Board