

COOK COUNTY SHERIFF'S MERIT BOARD

Sheriff of Cook County)
)
vs.)
) **Docket No. 2224**
)
POLICE OFFICER)
THOMAS M. NORTMAN)
[REDACTED])
)
EMPLOYEE # [REDACTED])
STAR #375)

DECISION

This matter came to be heard pursuant to notice before Dr. Byron Brazier, Board Member, on April 6, 2023, the Merit Board conducted a hearing before Commissioner Byron T. Brazier. Both parties were represented by counsel and had a full and fair opportunity to present evidence. The Cook County Sheriff's Merit Board finds as follows:

Jurisdiction

Thomas Nortman, (Respondent) was appointed a Correctional Officer on June 10, 1996. That on October 4, 2015, respondent was promoted to Sheriff's Police and that on December 6, 2018, Respondent was assigned to Skokie Patrol and Administration. Respondent's position as a Sheriff's Police involves duties and responsibilities to the public; each member of the Cook County Sheriff's Merit Board, hereinafter Board, has been duly appointed to serve as a member of the Board pursuant to confirmation by the Cook County Board of Commissioners, State of Illinois, to sit for a stated term; the Board has jurisdiction of the subject matter of the parties in accordance with 55 ILCS 5/3-7001, *et seq*; and Respondent was served with a copy of the Complaint and notice of hearing and appeared before the Board with counsel to contest the charges contained in the Complaint.

Background

The Sheriff (Petitioner) filed a Complaint on April 3, 2019, Petitioner seeking termination of Respondent. Petitioner alleged that Respondent was involved in a fatal accident, where two people were killed, when the vehicle of the deceased was struck by the police car, driven by the Respondent.

After the case was continued from time to time, and discovery completed, it was called for a formal hearing on April 6, 2023. At the hearing, the court reporter being present, all witnesses sworn under oath, testimony was taken from witnesses called by the Sheriff as well as testimony

from the Respondent and witnesses called on her behalf. Documents were introduced by Petitioner and Respondent and received into evidence.

Issues Presented:

1. The Respondent was charged with violations of the Rules and Regulations of the Cook County Department of Corrections, more specifically: , that Respondent, Thomas Nortman did violate COOK COUNTY SHERIFF'S OFFICE POLICE DEPARTMENT LAW ENFORCEMENT SERVICES MANUAL POLICY 101¹ and in particular, 101.5.5 (ar) for violation of any misdemeanor or felony.

Findings of Fact

Sheriff's Exhibit 1, De-Certification Order in People v. Nortman, 19CR1190901, Circuit Court of Cook County, Illinois, was marked as exhibit (Tr. 14; Sheriff's Exhibit 1) and admitted in evidence. (Tr. 15, 47)

As shown in the order, the law enforcement certificate issued to Respondent by the State of Illinois was permanently revoked on December 21, 2021. (Sheriff's Exhibit 1)

As shown in the order, Respondent has been prohibited from serving as a law enforcement officer in the future. (Sheriff's Exhibit 1)

As shown in the order, the de-certification of Respondent survives any other probationary periods referenced in the order. (Sheriff's Exhibit 1)

CERTIFIED STATEMENT OF CONVICTION – SHERIFF'S EXHIBIT 2

Sheriff's Exhibit 2, Certified Statement of Conviction in People v. Nortman, 19CR1190901, Circuit Court of Cook County, Illinois, was marked as exhibit (Tr. 14; Sheriff's Exhibit 2) and admitted in evidence. (Tr. 15, 47)

As shown in the certified statement of conviction, on August 5, 2019, Respondent was charged with two counts of felony reckless homicide under 720 ILCS 5/9-3(A) and two counts of felony aggravated reckless driving under 625 ILCS 5/11-503(A)(1) in People v. Nortman, 19CR1190901 in the Circuit Court of Cook County. (Sheriff's Exhibit 2)

As shown in the certified statement of conviction, on December 21, 2021, and January 11, 2022, the two counts of felony reckless homicide under 720 ILCS 5/9-3(A) and one count of felony aggravated reckless driving under 625 ILCS 5/11-503(A)(1) were dismissed and one count of felony aggravated reckless driving under 625 ILCS 5/11-503(A)(1) was amended to

misdemeanor speeding under 625 ILCS 5/11-601.5(B) in People v. Nortman, 19CR1190901 in the Circuit Court of Cook County. (Sheriff's Exhibit 2)

As shown in the certified statement of conviction, on December 21, 2021, and January 11, 2022, Respondent plead guilty to the amended misdemeanor speeding charge under 625 ILCS 5/11-601.5(B) in People v. Nortman, 19CR1190901 in the Circuit Court of Cook County. (Sheriff's Exhibit 2)

Sheriff's Exhibit 3, Sentencing and Other Orders and Criminal Disposition Sheet from December 21, 2021, in People v. Nortman, 19CR1190901, Circuit Court of Cook County, Illinois, was marked as exhibit (Tr. 14; Sheriff's Exhibit 3) and admitted in evidence. (Tr. 15, 47)

As shown in the criminal and traffic assessment order entered on December 21, 2021, Respondent pleaded guilty to the amended misdemeanor speeding charge under 625 ILCS 5/11-601.5(B) in People v. Nortman, 19CR1190901 in the Circuit Court of Cook County. (Sheriff's Exhibit 3)

The complaint register was submitted by Deputy Chief [REDACTED] on September 6, 2018 and alleged that the Respondent was involved in a two-vehicle traffic crash resulting in two fatalities. (Tr. 27-28; Sheriff's Exhibit 6)

Investigator [REDACTED] reviewed the policies violated by Respondent as referenced by Senior Investigator [REDACTED] in this investigation. (Tr. 44)

Sheriff's Exhibit 11, Conduct, effective August 1, 2018, Sheriff's Exhibit 12, Lexipol Policy 101, Conduct, effective December 3, 2018, Sheriff's Exhibit 13, Lexipol Policy 152, Vehicle Use, effective September 29, 2017, and Sheriff's Exhibit 14, Merit Board Rules and Regulations Article X were shown to the witness (Tr. 45; Sheriff's Exhibits 11-14) and subsequently admitted in evidence. (Tr. 47)

Article VIII (B) of the Cook County Sheriff's Merit Board Rules and Regulations state: The Board, after hearing written charges pursuant to their authority in Chapter 55 of the Illinois Compiled Statutes, may upon the finding of the charges being proven order any of the following disciplinary measures as prescribed in 55 ILCS 5/3-7012.

1. Separation.
2. Reduction in rank.
3. Suspension for a period not to exceed a total of one hundred and eighty (180) days.
4. Or any other such sanctions prescribed by the Rules and Regulations of the Board which in the opinion of the members thereof the offense(s) may merit.

Officer Nortman took a plea decertifying as a law enforcement officer as a result of his criminal case because he didn't want to risk getting convicted of a felony and removed from the Sheriff's office, he didn't believe he deserved a felony for this car accident, and he was advised that he was going to get help getting another job with the county. (Tr. at 120).

Conclusion

Based on the evidence presented, and after assessing the credibility of witnesses and the weight given by the evidence in the record, the Board finds, by a preponderance of the evidence, that Respondent, Thomas Nortman did violate COOK COUNTY SHERIFF'S OFFICE POLICE DEPARTMENT LAW ENFORCEMENT SERVICES MANUAL POLICY 101² and in particular, 101.5.5 (ar) for violation of any misdemeanor or felony.

As a part of the plea agreement, Officer Nortman pleaded guilty to misdemeanor speeding and agreed to be de-certified which means that by order of the Circuit Court of Cook County entered on December 21, 2021, "the law enforcement certificate issued to DEFENDANT THOMAS NORTMAN by the State of Illinois is hereby permanently revoked and DEFENDANT is prohibited from serving as a law enforcement officer in the future. This provision shall survive any other probationary periods referenced in this order. 50 ILCS 705/6.1".

Based on the de-certification, the Respondent is officially prohibited to return to the position of Sheriff's Police, for which he is being disciplined.

The Merit Board recognizes its authority to separate, demote, to suspend or to prescribe sanctions as described by the Rules and Regulations of the Board. However, prescribing discipline that orders the Sheriff to assign the Respondent to a non-certified position is not a discipline but an accommodation.

Given the Respondent has voluntarily accepted the de-certification, and pleaded guilty to the misdemeanor, the Merit Board has no authority to order the Sheriff to make an accommodation to reinstate Officer Nortman to another position.

Order

Wherefore, based on the foregoing, it is hereby ordered that Respondent Thomas M. Nortman be terminated from the Cook County Sheriff's Office effective February 19, 2020.

JOHN J. DALICANDRO, Chairman
BYRON BRAZIER, Vice-Chairman
VINCENT T. WINTERS, Secretary
KIMBERLY PATE GODDEN, Board Member
TERRENCE J. WALSH, Board Member
MARLA M. KAIDEN, Board Member
WADE INGRAM SR. Board Member
JAMES J. SEXTON, Board Member



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COOK COUNTY
SHERIFF'S MERIT BOARD
69 West Washington - Suite 1100
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Thomas M. Nortman
Police Officer
Docket No. 2224

This Final Decision is adopted and entered by a majority of the Members of the Merit Board:

Voted Yes:

John J. Dalicandro, Byron Brazier, Vincent T. Winters, Kimberly Pate Godden, Terrence J. Walsh,
Marla M. Kaiden, Wade Ingram Sr. and James J. Sexton

Voted No: None

Not Present: None

DATED AT COUNTY OF COOK, STATE OF ILLINOIS, THIS 20th DAY OF JULY, 2023.