STATE OF ILLINOIS
SS
COUNTY OF COOK

COOK COUNTY SHERIFF'S MERIT BOARD

IN THE MATTER OF:

CORRECTIONAL OFFICER
LOUIS D. PARKER
EMPLOYEE # [redacted]
STAR #16197

DOCKET NO. 2307

DECISION

This matter coming on to be heard pursuant to notice before Robert F. Hogan, Hearing Officer, on May 29 and May 30, 2024, the Cook County Sheriff's Merit Board finds as follows:

Jurisdiction

Louis D. Parker, hereinafter Respondent, was appointed a Correctional Officer on May 14, 2007. Respondent's position as a Correctional Officer 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 the 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.

Issues Presented

Whether the alleged actions of the Respondent violated any of the General Orders and Rules and Regulations set forth, specifically, Department of Corrections Policy 101, Department

of Corrections Policy 804, Department of Corrections Procedure 605, Department of Corrections Post Orders Policy 101 and Cook County Sheriff's Merit Board Rules and Regulations Article X, paragraph B; and what, if any, discipline is appropriate if a violation occurred.

Findings of Fact

The Sheriff filed a Complaint on September 8, 2023. The Sheriff is requesting termination of the Respondent. In the Complaint, the Sheriff alleges that the Respondent, on August 2, 2022, violated several policies of the Cook County Sheriff's Office when he opened cell doors during an altercation between Individuals in Custody (IIC). The Sheriff further alleges that the Respondent gave untruthful statements to OPR regarding the incident during an interview on March 10, 2023, and authored an Incident Report regarding the altercation which failed to report that a second altercation occurred during the incident.

[redacted] is the Director of Employee Discipline with Cook County Sheriff's Office, and she has been the director of employee discipline since August of 2023. Director [redacted] is responsible for the overall operations of employee discipline, and she keeps all of the employee disciplinary files, and schedules employee disciplinary hearings, grievances, and arbitrations. She is in charge of the employee discipline of all employees of CCSO, including Cook County Department of Corrections ("CCDOC"), Court Services, Police, and civilians.

Director [redacted] stated that she is a duly authorized custodian of the CCSO employee discipline's records, and that she had reviewed two DAFs prior to her testimony and confirmed that those were a true and accurate copy of the Respondent's disciplines records. Sheriff's Exhibit 6, DAF2020-1542, and Sheriff's Exhibit 7, DAF2022-0970, were subsequently admitted in evidence. As shown in Sheriff's Exhibit 6, the Respondent's supervisor with a star number [redacted] later identified as Sergeant [redacted], issued DAF 2020-1542 on July 14, 2020, then the

reviewing supervisor with a star number [redacted], later identified as Lieutenant [redacted] signed the DAF on July 14, 2020, then the superintendent signed the DAF on July 15, 2020, then the employee discipline director recommended a 7-day suspension, and then the Respondent had his grievance hearing with the superintendent on August 18, 2020, during which the superintendent denied the grievance but reduced the discipline to a 3-day suspension and the Respondent accepted the reduced discipline.

As shown in Sheriff's Exhibit 6, the Respondent and his union representative signed the grievance form indicating that the Respondent accepted the reduced discipline on August 18, 2020.

Sheriff's Exhibit 7 shows that the Respondent's supervisor with a star number [redacted] later identified as Sergeant [redacted], issued a DAF number 2022-0970 on March 8, 2022, then the reviewing supervisor with a star number [redacted] identified as Lieutenant [redacted], signed the DAF on March 8, 2022, then the superintendent signed the DAF on March 8, 2022, then the employee discipline director recommended a 5-day suspension, and then the Respondent had his grievance hearing with the superintendent on March 29, 2022, during which the superintendent denied the grievance but reduced the discipline to a verbal counseling, also called a verbal reprimand, and the Respondent accepted the reduced discipline.

As shown in Sheriff's Exhibit 7, the Respondent and his union representative signed the grievance form indicating that the Respondent accepted the reduced discipline on March 29, 2022.

[redacted] is a sergeant with CCDOC. As a sergeant with CCDOC, Sergeant [redacted] is responsible for supervising officers and responding to incidents. He discusses CCDOC policies and procedures during roll calls with CCDOC correctional officers. On August 2, 2022, at

around 1:00 PM, Sergeant [redacted] responded to a radio call requesting a supervisor's presence to a fight scene in Division 11. Sergeant [redacted] confirmed that Sheriff's Exhibit 2 was the incident report of a fight that occurred on tier AC, Division 11 on August 2, 2022, and that he signed as the reviewing supervisor. The Respondent completed the statement of facts section of this incident report. In Sheriff's Exhibit 2, the Respondent reported only one physical altercation that occurred around 1 PM that day and there is no indication in the narrative section of the incident report that there were two physical altercations that occurred around 1 PM on August 2, 2022, in Division 11.

Lieutenant [redacted] was the watch commander that day in Division 11. Sergeant [redacted] stated that he wore a body-worn camera that day and recorded the interviews of the individuals in custody (IIC) on his body-worn camera. Sergeant [redacted] testified that he observed the IICs involved in the physical altercation that day, and that those IIC were transported to Cermak Hospital.

In reviewing the division camera video, Sergeant [redacted] confirmed that he saw himself, another supervisor, Sergeant [redacted] the Respondent, Officer [redacted] Officer [redacted] and Officer [redacted] appearing in the video. He confirmed that the cell behind the stairs appeared unlocked and that the Respondent did not maintain control of the cell door. He further testified that the manner in which the Respondent left the cell door unsecured was not within the policy because all doors are supposed to remain secured when the IICs are in the dayroom. Sergeant [redacted] testified that cell doors should always be kept secure to prevent possible incidents of someone being dragged into the cell. When a correctional officer witnesses a physical altercation on the tier, the first thing to do is to call a 10-10 over the radio to request for backup but as shown in the video, the Respondent walked towards the IIC involved in the physical altercation without requesting

backup. The Respondent was instructing the individuals to get to their doors so they could be locked up without attempting to secure any of the fighters. Sergeant [redacted] stated that as shown in another division camera video, Officer [redacted] came to the tier entrance door around 1:05:52, but he stood by the tier door, and he did not run toward the Respondent. Sergeant [redacted] stated that generally, if responding to a fight call, multiple officers would arrive, and they would not just stand by the tier entrance door.

Sergeant [redacted] testified that as shown in the other division camera video, the Respondent unlocked multiple cell doors simultaneously, which is called "rolling the doors." The practice of rolling the doors is against the policy because the officers are supposed to maintain control of the door when they are locking and unlocking the doors. The Respondent did not attempt to secure any of the fighters as shown in the division camera video. Sergeant [redacted] confirmed that there was another fight that occurred around 1:07:44 on the top deck and the IIC who were fighting in front of the cell went inside an open cell. The fighters would never have gone inside the cell if the cell doors were secured. The first time, an inmate was secured in handcuffs by Officer [redacted] around 1:10:20.

Sergeant [redacted] further testified that as shown in the division camera video, the Respondent allowed multiple individuals in custody to secure the cell doors by themselves. Allowing individuals in custody to secure the cell doors by themselves is dangerous because it gives them an opportunity to place an obstruction in the door and then they can exit at any time. Sergeant [redacted] stated that the standard procedure for Division 11 was to secure the fighters in handcuffs and remove them from the scene first before securing the entire tier when there is a physical altercation on a tier.

[redacted]

[redacted] is a lieutenant with CCDOC. He has been with the CCSO for 26 ½ years and has been a lieutenant for 14 years. As a lieutenant with CCDOC, Lieutenant [redacted] supervises sergeants and correctional officers. He counsels CCDOC correctional officers on inappropriate behavior or conduct when he observes any officers not properly following the CCDOC policies and procedures. He is familiar with CCDOC policies and procedures and has been a part of creating all the policies and procedures for the jail, including the cell locking policy.

Lieutenant [redacted] was a Watch Commander on August 2, 2022. He confirmed that Sheriff's Exhibit 2 is the incident report for an incident that occurred on tier AC, Division 11 on August 2, 2022, which he signed as the assessing supervisor. The Respondent completed the statement of facts section of this incident report, which Lieutenant [redacted] reviewed during his assessment of the incident report. The Respondent reported only one physical altercation that occurred around 1 PM that day and there is no indication in the narrative section of the incident report that there were two physical altercations that occurred around 1 PM on August 2, 2022, in Division 11, which was inconsistent with what he observed in the division camera videos. Lieutenant [redacted] stated that all cell doors should be always kept secured in CCDOC, and that "rolling the doors" is a term describing opening more than one door at a time and leaving them open and that rolling the doors is prohibited within DOC. He testified that he has ordered the Respondent not to roll the doors multiple times. He further testified that the practice of rolling the doors is prohibited in CCDOC because it may allow the IIC that are out in the dayroom the opportunity to run back into their cell or have access to another individual's cell, and also because of the inability to control movement of the IIC entering their or other people's cells. Lieutenant [redacted] stated that how the Respondent handled the fight on August 2, 2022 was not

within the policy because first, the Respondent started opening up the doors to secure the detainees not involved in the fight, which means the detainees involved in the fight were still on the tier; and second, there was no mention of the second fight taking place upstairs in the narrative section of the incident report.

[redacted]

[redacted] is an investigator with CCSO, and she has been with CCSO for seven years. She has been assigned to the CCSO, Office of Professional Review ("OPR") as an investigator since January of 2022, and was assigned to investigate the allegations against the Respondent.

This investigation was initiated through a complaint register. The complaint register submitted by the superintendent alleged that the Respondent failed to follow policies when unlocking and locking cell door on the tier, that he failed to follow the procedures when there was a fight and injury to individuals in custody, and that the Respondent had a similar incident in the past. Investigator [redacted] stated that she also reviewed the incident report during the investigation.

Investigator [redacted] obtained and reviewed the division camera videos mentioned in the incident report during this investigation. Investigator [redacted] stated that the statement of facts completed by the Respondent was inconsistent with what she saw in the division camera videos. As shown in the division camera video, Investigator [redacted] testified that the cell behind the stairs appeared unlocked, against the policy requiring that all cell doors be kept secured.

Investigator [redacted] stated that when a correctional officer witnesses a physical altercation on the tier, the first thing to do is to radio for backup, but as shown in the video, the

Respondent walked towards the IIC involved in the physical altercation without requesting for backup. Investigator [redacted] further testified that requesting for backup first when the officer witnesses a physical altercation on the tier is important for the officer's safety purposes and also for purposes of handcuffing the individuals involved in the fight and escorting them off the tier.

Investigator [redacted] also testified that as shown in the other division camera video, the Respondent unlocked multiple cell doors, which is against the policy. Investigator [redacted] testified that what the Respondent did in the video was not within the policy because officers should not allow individuals in custody to secure their own doors, but the officer has to check to make sure the doors are properly secure. Allowing IIC to secure the cell doors by themselves is dangerous because they would put something to obstruct the lock so they can get out at another time.

Investigator [redacted] testified that the Respondent came in for an interview on March 10, 2023, and his interview was audio-recorded. Investigator [redacted] stated that the Respondent reviewed the video of the incident before starting his interview and that she read the allegations stated in the complaint register during the interview.

During the interview, the Respondent initially stated that he called a 10-10 fight in progress over the radio and secured the fighters immediately after the first fight but after Investigator [redacted] reminded him of the video, the Respondent changed his response. The Respondent's initial response during the interview that he called for a backup and secured the fighters immediately after the first altercation was not consistent with what Investigator [redacted] observed in the video. During the interview, the Respondent admitted that he did not check the cell doors and that the cell doors were not properly secured, as shown in the video. During the interview, the Respondent admitted that the way he locked and unlocked the cell doors was not

within the policy and that he was instructed by his supervisors during roll call about the locking procedures. During the interview, the Respondent admitted that if the individuals in custody were properly secured after the first fight, the second fight could have been prevented.

Investigator [redacted] estified that the Respondent violated Joint Exhibit 1, Policy 101, Conduct, 101; Joint Exhibit 3, Procedure 605, Cell Locking, Procedure; and Joint Exhibit 4, Post Order 101, Living Unit Officer. She further stated that the Respondent violated Article X of the Merit Board Rules and Regulations.

Respondent Louis Parker

Respondent Louis Parker testified that he was appointed as a Cook County Correctional Officer on May 14, 2007. On August 2, 2022, Officer Parker was cross-watching two tiers at once—AC and AB. Each tier had approximately 48 inmates.

On August 2, 2022, Respondent observed two IIC, [redacted] and [redacted] fighting on the bottom deck of AC and immediately called a "10-10" over the radio for backup. According to the Respondent, he opened cell doors on the top deck of AC and directed noncombatants into their rooms to ensure the safety of the noncombatants. He then observed [redacted] and [redacted] begin fighting on the top deck of AC. The Respondent admitted that he did not check each cell door by pulling every door manually to make sure that the door did not open on August 2, 2022.

The Respondent concedes that he had previously admitted during the audio-recorded interview that he did not properly secure the cell doors on August 2, 2022. The Respondent further conceded that in the video, the individuals in custody were closing the door on their own. The Respondent testified that supervisors told everybody to secure the cell doors properly during roll call, and that he did what he could do with to best of his ability.

Analysis

The Merit Board finds Respondent violated the General Orders and Rules and Regulations of the Cook County Sheriff's Department set forth, specifically, Department of Corrections Policy 101, Department of Corrections Policy 804, Department of Corrections Procedure 605, Department of Corrections Post Orders Policy 101 and Cook County Sheriff's Merit Board Rules and Regulations Article X, paragraph B.

The Respondent conceded in his testimony and his interview with OPR that he did not comply with CCDOC rules regarding the securing of IIC and the rules and procedures for dealing with IIC who are fighting. The Respondent also violated CCDOC Policies regarding the reporting of incidents truthfully and correctly when the incident report he helped prepare did not mention a second altercation during the subject incident. The Conduct of the Respondent was captured on video during the incident. This video belies the testimony of the Respondent as to his conduct pertaining to his securing of the area when an altercation occurred.

Evidence presented by the Sheriff indicates that the Respondent has been the subject of previous disciplinary proceedings for similar conduct, and has been previously counseled, reprimanded and suspended for similar conduct.

Lastly, at the close of proofs, the Sheriff filed a Motion to Reconsider the Board's Ruling at trial barring any discussion of an earlier settlement agreement entered into between the Sheriff and the Respondent in docket #1882. The Sheriff contends that the settlement in docket #1882 is in fact not sealed as was represented by the Respondent at trial. The Sheriff sought to enter into evidence at the present trial the underlying conduct, disciplinary history and agreed upon suspension in docket # 1882. The Board denied that request based upon the Respondent's

representation that the parties agreed to keep the settlement confidential and that the file was sealed.

The Board has reviewed the settlement agreement in docket # 1882 [redacted]

[redacted]

Based upon the cited paragraphs of the Settlement Agreement entered into docket #1882, the Sheriff has previously agreed that the terms of the agreement would be kept confidential. Moreover, the Sheriff agreed that none of the terms of that Agreement would be used in any other proceeding, which is exactly what the Sheriff now seeks to do in the present matter.

The Sheriff's Motion is denied.

Based on the reasons set for the above, the evidence presented, and the testimony of Respondent and witnesses, the Merit Board finds that the Respondent did violate the General Orders and Policies of the Cook County Sheriff's Department, the Cook County Department of Corrections, and the Rules and Regulations of the Cook County Sheriff's Merit Board.

Order

The Merit Board finds that Respondent did violate the General Orders and Policies of the Cook County Sheriff's Department, the Cook County Department of Corrections and the Rules and Regulations of the Cook County Sheriff's Merit Board and that Respondent, Louis D. Parker, should be suspended from the Cook County Sheriff's Office for a period of One Hundred and Twenty (120) days, effective September 11, 2023.

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

ROBERT F. HOGAN, Hearing Officer

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DOCKET NO. 2307
CORRECTIONAL OFFICER
LOUIS D. PARKER
STAR # 16197

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

Voted Yes:

John J. Dalicandro, Byron Brazier, Terrence J. Walsh, Marla M. Kaiden, Wade Ingram Sr. and James J. Sexton

Voted No: None

Not Present: Vincent T. Winters and Kimberly Pate Godden

DATED AT COUNTY OF COOK, STATE OF ILLINOIS, THIS 17th DAY OF OCTOBER, 2024.