

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)		
POLICE OFFICER THOMAS LATHAM,)		No. 06 PB 2589
STAR No. 5338, DEPARTMENT OF POLICE,)		
CITY OF CHICAGO,)		
RESPONDENT.)		(C.R. No. 302308)

FINDINGS

On February 2, 2006, the Superintendent of Police filed charges with the Police Board of the City of Chicago seeking the discharge of Police Officer **THOMAS LATHAM, Star No. 5338** (hereinafter sometimes referred to as "Respondent") for violation of the following rules:

- RULE 1:** Violation of any law or ordinance"
- 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 or an order or directive, whether written or oral.

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer Thomas Latham, Star No. 5338, to be heard by JACQUELINE A. WALKER, Hearing Officer of the Police Board of the City of Chicago, on January 30, 2007, February 7, 2007 and February 16, 2007. Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing and viewed the video-recording of the proceedings. JACQUELINE A.

FINDINGS & DECISION, CONT'D.
POLICE OFFICER THOMAS LATHAM, STAR No. 5338
PAGE 2

WALKER, Hearing Officer made an oral report and conferred with the Police Board before it rendered a decision.

As a result of the foregoing, the Police Board of the City of Chicago finds and determines that:

(1) The Respondent was, at all times mentioned herein, a police officer employed 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 on the charges was to be held, together with a copy of the original charges, was served upon the Respondent more than five (5) days prior to the hearing on the charges;

(3) Throughout the hearing, the Respondent appeared in person and was represented by legal counsel;

(4) The Respondent, **POLICE OFFICER THOMAS LATHAM, Star No. 5338**, as charged herein, is **guilty** of violating, to-wit:

RULE 1: "Violation of any law or ordinance," in that:

On or about January 15, 2003, while applying for a firearm registration certificate, he knowingly gave false information regarding the purchase date of a 9mm Beretta 8000 Mini Cougar Pistol, Serial Number 049265MC, thereby violating Chapter 8, Section 20-180(a) of the Municipal Code of the City of Chicago.

FINDINGS & DECISION, CONT'D.
POLICE OFFICER THOMAS LATHAM, STAR No. 5338
PAGE 3

(5) Respondent, **POLICE OFFICER, THOMAS LATHAM, Star No. 5338**, as 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:

On or about January 15, 2003, while applying for a firearm registration certificate, he falsely recorded December 4, 2002, as the original date on which he purchased a 9mm Beretta 8000 Mini Cougar Pistol, Serial Number 049265MC.

(6) Respondent, **POLICE OFFICER, THOMAS LATHAM, Star No. 5338**, as charged herein, is **not 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:

There was insufficient evidence presented by the superintendent to prove that on or about October 29, 2004, at Cook County Circuit Court Branch 38, 727 East 111th Street, Chicago, while petitioning for a Court Order authorizing the release of a 9mm Beretta 8000 Mini Cougar Pistol, Serial Number 049265MC, from the Evidence and Recovered Property Section of the Chicago Police Department, he failed to disclose facts regarding the registration of the weapon.

FINDINGS & DECISION, CONT'D.
POLICE OFFICER THOMAS LATHAM, STAR No. 5338
PAGE 4

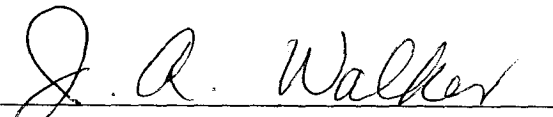
(7) Respondent, **POLICE OFFICER THOMAS LATHAM, Star No. 5338**, as charged herein, is **guilty** of violating, to-wit:

RULE 6: “Disobedience of an order or directive, whether written or oral,” in that:

On or about January 15, 2003, while completing a firearm registration application, he falsely recorded December 4, 2002, as the original date on which he purchased a 9mm Beretta 8000 Mini Cougar Pistol, Serial Number 049265MC, thereby failing to comply with all instructions listed on the reverse side of the firearm registration application, contrary to General Order 92-3-5B, section V.B.

BY REASON of the findings of fact and of guilt herein, and by reason of the Respondent’s disciplinary history, cause exists for the suspension of the Respondent, **POLICE OFFICER THOMAS LATHAM, Star No. 5338**, from his position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period of eighteen (18) months, from February 4, 2006, to and including August 3, 2007.

Respectfully submitted,



JACQUELINE A. WALKER
Hearing Officer

DECISION

The Police Board of the City of Chicago, having read and reviewed the certified transcription of the hearing, having viewed the video-recording of the hearing, having received the oral report of the Hearing Officer, JACQUELINE A. WALKER, 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, Police Officer **THOMAS LATHAM**, Star No. 5338, as a result of having been found **guilty** of charges in Police Board Case No. 06 PB 2589, be and hereby is **suspended** from his position as a police officer, and from the services of the City of Chicago, for a period from 04 February 2006 to and including

03 August 2007

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 15th DAY OF MARCH, 2007.

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.

The undersigned voted to impose a penalty of discharge.

Keweenaw J. Carr

RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS _____ DAY OF _____, 2007.

SUPERINTENDENT OF POLICE

SSN	EMP #	NAME	LATHAM	THOMAS	MONTH AND YEAR RECEIVED	TOTAL
[REDACTED]	455076				07 APR 05	0
		JR CHAMBER OF COMMERCE	/	/	/	0
		RICHARD J DALEY AWARD	/	/	/	0
		POLICE MEDAL	/	/	/	0
		CAPT AWARD VALOR	/	/	/	0
		CAPT AWARD MERIT	/	/	/	0
		POLICE BLUE STAR	/	/	/	0
		OFFICER OF THE MONTH	/	/	/	0
		UNIT MERITORIOUS PERFORMANCE	06 / 02	/	/	1
		LAMBERT TREE	/	/	/	0
		CARTER HARRISON	/	/	/	0
		WGN AWARD	/	/	/	0
		HONORED POLICE STAR	/	/	/	0
		LIFE SAVING AWARD	/	/	/	0
		HUNDRED CLUB MEDAL OF VALOR	/	/	/	0
		FITNESS AWARD	/	/	/	0
		APPEARANCE AWARD	/	/	/	0

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Ex. A

C.R. # 302308
 ATTACHMENT # 15
 PAGE # 1 OF 2

CHICAGO POLICE DEPARTMENT
Sustained Complaints History Report

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
[REDACTED]	LATHAM THOMAS .	5338	47454	9161	POLICE OFFICER	21
<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	BLACK	[REDACTED]	07-DEC-1987	13	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 280093	18-APR-2002	09-JUN-2004	2 DAY SUSPENSION <u>Police Board #</u>	09L-DRIVER'S LICENSE REVOKED/SUSPENDED	
<u>Civil Suit #</u>		10-JUN-2004			
<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 281506	13-JUN-2002	24-MAR-2004	1 DAY SUSPENSION <u>Police Board #</u>	10J-NEGLECT OF DUTY/CONDUCT UNBECOMING - ON DUTY	
<u>Civil Suit #</u>		24-MAR-2004			
<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 282693	25-JUL-2002	03-NOV-2005	5 DAY SUSPENSION <u>Police Board #</u>	10U-INADEQUATE/FAILURE TO PROVIDE SERVICE	
<u>Civil Suit #</u>		07-NOV-2005	5 DAY SUSPENSION <u>Police Board #</u>	10U-INADEQUATE/FAILURE TO PROVIDE SERVICE	
			5 DAY SUSPENSION <u>Police Board #</u>	10U-INADEQUATE/FAILURE TO PROVIDE SERVICE	
			5 DAY SUSPENSION <u>Police Board #</u>	10U-INADEQUATE/FAILURE TO PROVIDE SERVICE	
			5 DAY SUSPENSION <u>Police Board #</u>	10U-INADEQUATE/FAILURE TO PROVIDE SERVICE	
<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 286796	03-JAN-2003	01-AUG-2004	15 DAY SUSPENSION <u>Police Board #</u>	10J-NEGLECT OF DUTY/CONDUCT UNBECOMING - ON DUTY	
<u>Civil Suit #</u>		15-AUG-2004			
<u>Comments</u>					

Ex. A

ISSUED ON INQUIRY FREEMAN 01/31/07

CHICAGO POLICE DEPARTMENT Sustained Complaints History Report

Social Sec. #

LATHAM THOMAS .

5338

47454

9161

POLICE OFFICER

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M BLACK

07-DEC-1987

13

<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 287920	02-FEB-2003	26-AUG-2004	2 DAY SUSPENSION	10H-LEAVING ASSIGNMENT (DISTRICT, BEAT, SECTOR, COURT)	
<u>Civil Suit #</u>		27-AUG-2004	<u>Police Board #</u>		
<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 288251	10-MAR-2003	01-SEP-2004	30 DAY SUSPENSION	10U-INADEQUATE/POORURE TO PROVIDE SERVICE	
<u>Civil Suit #</u>		30-SEP-2004	<u>Police Board #</u>		
<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 288431	25-MAR-2003		6 DAY SUSPENSION	10Z-MISCELLANEOUS	
<u>Civil Suit #</u>			<u>Police Board #</u>		
<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 289218	04-MAY-2003	22-JUN-2004	5 DAY SUSPENSION	10Z-MISCELLANEOUS	
<u>Civil Suit #</u>		26-JUN-2004	<u>Police Board #</u>		
<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 289777	29-MAY-2003	07-JUN-2004	3 DAY SUSPENSION	10J-NEGLECT OF DUTY/CONDUCT UNBECOMING - ON DUTY	
<u>Civil Suit #</u>		08-JUN-2004	<u>Police Board #</u>		
<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 291309	02-AUG-2003	16-APR-2005	15 DAY SUSPENSION	10J-NEGLECT OF DUTY/CONDUCT UNBECOMING - ON DUTY	
<u>Civil Suit #</u>		30-APR-2005	<u>Police Board #</u>		
<u>Comments</u>					

Ex. A

Assessed on Inquiry Freeman 021

CHICAGO POLICE DEPARTMENT
Sustained Complaints History Report

Social Sec. #

LATHAM THOMAS .

5338

47454

9181

POLICE OFFICER

221

M BLACK

07-DEC-1987

13

<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 302048	17-NOV-2004		**PENALTY NOT SERVED <u>Police Board #</u>	10U-INADEQUATE/FAILURE TO PROVIDE SERVICE	
<u>Civil Suit #</u>					
<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 304359	22-MAR-2005		**PENALTY NOT SERVED <u>Police Board #</u>	10W-VEHICLE LICENSING - CITY	
<u>Civil Suit #</u>					
<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 308448	21-JUN-2005		**PENALTY NOT SERVED <u>Police Board #</u>	10U-INADEQUATE/FAILURE TO PROVIDE SERVICE	
<u>Civil Suit #</u>					
<u>Comments</u>					

EX. A

Issued On Inquiry Freeman 01/31/07