

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

**IN THE MATTERS OF CHARGES FILED AGAINST )**  
**)**  
**POLICE OFFICER JOSEPH E. VANOUREK, ) No. 13 PB 2835**  
**STAR No. 18525, DEPARTMENT OF POLICE, )**  
**CITY OF CHICAGO, )**  
**)**  
**AND )**  
**)**  
**POLICE OFFICER JOHN R. SWARBRICK, ) No. 13 PB 2836**  
**STAR No. 4089, DEPARTMENT OF POLICE, )**  
**CITY OF CHICAGO, )**  
**) (CR No. 1002203)**  
**RESPONDENTS. )**

**FINDINGS AND DECISIONS**

On August 1, 2013, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Joseph E. Vanourek, Star No. 18525, and Police Officer John R. Swarbrick, Star No. 4089 (hereinafter sometimes referred to as “Respondents”), recommending that each Respondent be suspended from the Chicago Police Department for sixty (60) days for violating the following Rules of Conduct:

Rule 6: Disobedience of an order or directive, whether written or oral.

Rule 10: Inattention to duty.

Rule 14: Making a false report, written or oral.

The Superintendent moved to consolidate the cases for purposes of discovery and hearing. The Respondent did not object, and Jacqueline A. Walker, Hearing Officer of the Police Board, ordered the cases consolidated. The Police Board caused a hearing on these charges against the Respondents to be had before Hearing Officer Walker on December 5, 12, and 18, 2013.

Following the hearing, the members of the Police Board read and reviewed the record of proceedings and viewed the video-recording of the testimony of the witnesses. Hearing Officer Walker made an oral report to and conferred with the Police Board before it rendered its findings and decisions. (Board members Melissa M. Ballate, Ghian Foreman, and Johnny L. Miller recused themselves from these cases pursuant to §2-57-060(c) of the Municipal Code of Chicago.)

### **POLICE BOARD FINDINGS**

The Police Board of the City of Chicago, as a result of its hearing on the charges, finds and determines that:

1. Each Respondent was at all times mentioned herein employed as a police officer by the Department of Police of the City of Chicago.
2. The written charges, and a Notice stating when and where a hearing on the charges was to be held, were served upon each Respondent more than five (5) days prior to the hearing on the charges.
3. Throughout the hearing on the charges each Respondent appeared in person and was represented by legal counsel.
4. The Respondents each filed a motion asking that the Police Board dismiss the charges filed against them for the following reasons: (a) the failure to bring timely charges violates the due process rights of the Respondents; (b) the charges should be barred by laches; (c) the investigation by the Independent Police Review Authority (IPRA) violated Chicago Police Department General Order 93-03; and (d) IPRA violated Section 2-57-070 of the Municipal Code of Chicago. The Respondents' motions to dismiss are **denied** for the reasons set forth below.

- a. Due Process. Citing *Morgan v. Department of Financial and Professional Regulation*,

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374 Ill.App.3d 275, 871 NE2d 178 (1<sup>st</sup> Dist. 2007), and *Lyon v. Department of Children and Family Services*, 209 Ill.2d 264 (2004), the Respondents claim that the constitution precludes such a lengthy delay in the investigation of the Respondents' alleged misconduct. *Morgan* and *Lyon*, however, involved a delay in *adjudication* of allegations of misconduct after the respective plaintiffs had been suspended from their jobs—not delay in the *investigation* leading to the initial suspensions. *Morgan* involved a clinical psychologist accused of sexually abusing a patient, where the state took fifteen months to decide the case after the suspension. *Lyon* involved a teacher accused of abusing students where the director of DCFS failed to honor specific regulatory time limits for decision-making.

The Respondents' cases before the Police Board are different from *Morgan* and *Lyon*, as the Respondents in their Motion are complaining about the delay from the time of the incident to the bringing of charges, not the time it took to try them once the charges were filed. This difference is important because the due-process analysis in *Morgan* and *Lyon* is triggered by the state's decision to deprive the psychologist and teacher of their jobs, thus preventing them from working for prolonged periods of time before they were accorded the opportunity to have a hearing and decision to clear their names. Here, the Respondents were working and were being paid a full salary and benefits during the entire period of the investigation. The Due Process clause precludes a state or local government from "depriving any person of life, liberty or property [i.e. a public job] without due process of law." Here, the Respondents were not suspended without pay, and therefore were *not* deprived of a job prior to the filing of charges, and any delay in bringing the charges is therefore *not* a violation of the Respondents' due process rights.

We recognize that the Circuit Court of Cook County, in *Orsa v. City of Chicago Police Board*, 11 CH 08166 (March 1, 2012) found that the protections of the Due Process clause are

triggered by an unreasonable delay in the investigation of a matter, even if the officer retains his job, salary and benefits during the investigation. The Court cited *Stull v. The Department of Children and Family Services*, 239 Ill.App.3d 325 (5<sup>th</sup> Dist. 1992). *Stull* involved a teacher accused of sexually abusing two of his students. The statute and regulations governing DCFS investigations of child abuse provided strict time limits on the length of any investigation and on the time within which a hearing must be conducted and a decision entered if the adult found to have abused children sought a hearing. The *Stull* court found that DCFS had grossly violated these time limits and required expungement of the adverse finding against the teacher, even though the administrative appeal found that he had been properly “indicated” as an abuser. The *Stull* court did find that the teacher’s due process rights had been infringed, but it was not because of a delay in DCFS’s investigation of the case. The court held that due process was violated by the more than one-year delay in adjudicating the teacher’s appeal because during that period of time there was an indicated finding of child abuse lodged against the teacher and this finding prohibited him from working, *see* 239 Ill.App.3d at 335, thus triggering the kind of deprivation that is not present in the Respondents’ cases. *Cavaretta v. Department of Children and Family Services*, 277 Ill.App.3d 16 (2<sup>nd</sup> Dist. 1996), also cited by the Circuit Court, is identical to *Stull*, which it relies upon. The *Cavaretta* court was quite careful to find that due process was not implicated until DCFS (after its investigation was complete) “indicated” the teacher as a child abuser and placed the teacher’s name in the state’s central registry, which directly deprived the teacher of the ability to work.<sup>1</sup>

b. Laches. The Respondents argue that the doctrine of laches should apply here in

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<sup>1</sup> The Circuit Court also cited *Cleveland Board of Education v. Loudermill*, 470 U.S. 532 (1985), but only in general terms. There was no issue in *Loudermill* that a deprivation, for due process purposes, had occurred as it involved the discharge of school district employees.

supporting the dismissal of charges.

Laches is an equitable doctrine that is used to prevent a party in litigation from enforcing a right it otherwise has because it has not been diligent in asserting this right and the opposing party has been prejudiced by the delay. Private parties and public agencies are not on an equal footing when it comes to the application of the laches doctrine. Many cases, including *Van Milligan v Board of Fire and Police Commissioners of the Village of Glenview*, 158 Ill.2d 85, 630 NE2d 830 (1994), hold that laches can only be invoked against a municipality under “compelling” or “extraordinary” circumstances. In addition, the party that invokes the doctrine of laches has the burden of pleading and proving the delay and the prejudice. *Hannigan v. Hoffmeister*, 240 Ill. App. 3d 1065, 1074 (1<sup>st</sup> Dist. 1992). Under Illinois law, the Respondents must demonstrate that the Superintendent’s unreasonable delay caused material prejudice to the Respondents; the Respondents must submit evidence in support of their claims of prejudice (for example, testimony that witnesses could no longer recall what happened, or affidavits stating that records had been lost or destroyed during the intervening years). *Nature Conservancy v. Wilder*, 656 F.3d. 646 (7<sup>th</sup> Cir. 2011).

The Respondents have made no specific showing of any prejudice that resulted from a delay in bringing charges before the Police Board. Respondent Vanourek argues that witness statements were contradictory and that the facts and the witnesses in this case are “stale,” but he provides no specifics to support this assertion. While Respondent Vanourek claims that a photograph in which witness Edith Ducoing allegedly identified Vanourek in 2007 had not been produced in discovery, he has not explained or shown how the missing photograph has materially prejudiced his case. Similarly, Respondent Swarbrick has not provided any specifics to establish that any delay has resulted in material prejudice. Consequently, any argument that material

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evidence was overlooked and is now unavailable, is speculative.

The Respondents therefore have not demonstrated any “compelling” or “extraordinary” circumstances warranting a dismissal of their cases, and have not carried the burden of proving that they were prejudiced by a delay in the bringing of charges.

c. General Order 93-03. The Respondents argue that the Police Department’s General Order 93-03 requires a prompt and thorough investigation, and that the Department failed to fully comply with the provisions of this directive.

In fact, this directive does not set an absolute deadline within which investigations must be completed, but provides that if the investigations last more than 30 days, the investigator must seek and obtain an extension of time within which to complete the investigation. Here, the investigator regularly did seek, and was granted, extensions of time (according to Respondent Vanourek’s Motion and the attachments thereto, the investigator sought and was granted 25 extensions of time).

Once the investigator completed the process of gathering evidence, the matter is reviewed at several levels to ensure that a thorough investigation was conducted, as required by the directives.

There was no substantial violation of the directive in these cases. Even if, however, it was violated, there is no provision in the General Order requiring the extraordinary remedy of dismissal of the cases as a sanction for such a violation. The Board declines to extend the reach of the General Order in this manner.

d. Municipal Code Section 2-57-070. The Code provides that if the Chief Administrator of

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the Independent Police Review Authority (IPRA) does not conclude an investigation within six months after its initiation, the Chief Administrator shall notify the Mayor, the City Council, the complainant, and the accused officer. The Respondents argue that IPRA did not comply with this provision of the Code.

This provision of the Code took effect in September 2007, and does not contain any language making it retroactive. Because the investigation of the allegations against the Respondents was initiated in December 2006, and the six-month point of the investigation occurred in June 2007, this provision of the Code is, on its face, not applicable to the Respondents.

Even if this provision is applicable to the Respondents and was violated, neither Section 2-57-070 nor anything else in the Code states that dismissal of a Police Board case is the sanction for failing to make the report to the Mayor, the City Council, the officer, and the complainant. It is unpersuasive that such an extreme sanction would automatically follow, particularly where the alleged misconduct under investigation is as serious as it is here. Without any basis or cited authority, and none is given by the Respondents, there is no basis for the Board to dismiss the charges pursuant to Section 2-57-070, and the Board declines to extend the reach of the ordinance in this manner.

5. The Superintendent's motion to withdraw the charges that each Respondent violated Rule 10 (Count II) is **granted**.

6. The Respondent, Police Officer Joseph E. Vanourek, Star No. 18525, charged herein, is **not guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral,

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in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count I: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer Joseph E. Vanourek, while on duty, failed to notify a supervisor about allegations against a Department member, thereby violating General Order 93-03-02B, Section II.A.5.

The Superintendent failed to present evidence and testimony to show that the Respondents had knowledge that a Department member had violated any Rules and/or Regulations of the Department, in order for them to report this action to a supervisor.

7. The Respondent, Police Officer Joseph E. Vanourek, Star No. 18525, charged herein, is **not guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count II: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer Joseph E. Vanourek, while on duty, had knowledge of police misconduct and failed to report it, thereby violating General Order 93-03-02B, Section II.A.5.

See the findings set forth in paragraph no. 6 above, which are incorporated here by reference.

8. The Respondent, Police Officer Joseph E. Vanourek, Star No. 18525, charged herein, is **not guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count I: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer Joseph E. Vanourek, while on duty, failed to take proper police

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action by responding to a call regarding an incident involving a man with a gun, and failed to conduct a proper investigation of the incident.

The Respondents presented convincing evidence that they interviewed persons at the scene, as well as that they spoke with police officers at the scene. The Superintendent failed to present evidence in contravention to this evidence that was presented by the Respondents.

9. The Respondent, Police Officer Joseph E. Vanourek, Star No. 18525, charged herein, is **guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count III: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer Joseph E. Vanourek, while on duty, responded to a call regarding an incident involving a man with a gun, and failed to generate a case report regarding the incident.

The Superintendent presented uncontradicted expert testimony through Captain Michael Pigott of the Police Department's Education and Training Division that a case report should have been completed for this incident. Captain Pigott convincingly testified that the Respondents knew that there was a fight or some type of disturbance. Notwithstanding the testimony of Respondents' expert witness Retired Captain John Farrell to the contrary, the Respondents would have known from their interviews with the persons on the scene that a disturbance took place, and hence a case report should have been generated.

10. The Respondent, Police Officer Joseph E. Vanourek, Star No. 18525, charged herein, is **guilty** of violating, to wit:

Rule 14: Making a false report, written or oral,

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in that:

Count I: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer Joseph E. Vanourek, while on duty, responded to a call regarding an incident involving a man with a gun, and submitted a false report, via OEMC, when he coded the incident as 5A, “Non-Bona Fide.”

The Superintendent presented a preponderance of the evidence that this incident should not have been coded 5A “Non-Bona Fide.” Again, there was convincing expert testimony given by Captain Pigott that a disturbance did occur, and therefore, there should not have been a code 5A “Non-Bona Fide” given.

11. The Respondent, Police Officer Joseph E. Vanourek, Star No. 18525, charged herein, is **not guilty** of violating, to wit:

Rule 14: Making a false report, written or oral,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count II: On or about April 5, 2007, at the Office of Professional Standards (now known as the Independent Police Review Authority), located at 10 West 35<sup>th</sup> Street in Chicago, Officer Joseph E. Vanourek gave a false report in his statement to Investigator Carter when Officer Vanourek denied having knowledge that Officer Eric Viguera was involved in the incident that occurred on or about December 23, 2006, when Officer Vanourek stated that he provided proper police service regarding that incident, and when he denied playing a role in the retrieval of Officer Viguera’s gun in connection with the incident.

The Superintendent failed to present evidence that the Respondents knew that Police Officer Eric Viguera was involved in the incident that occurred, nor was there evidence presented that the Respondents knew that they were giving a false report to the Office of Professional Standards when they denied having this knowledge.

12. The Respondent, Police Officer John R. Swarbrick, Star No. 4089, charged herein, is

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**not guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count I: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer John R. Swarbrick, while on duty, failed to notify a supervisor about allegations against a Department member, thereby violating General Order 93-03-02B, Section II.A.5.

See the findings set forth in paragraph no. 6 above, which are incorporated here by reference.

13. The Respondent, Police Officer John R. Swarbrick, Star No. 4089, charged herein, is

**not guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count II: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer John R. Swarbrick, while on duty, had knowledge of police misconduct and failed to report it, thereby violating General Order 93-03-02B, Section II.A.5.

See the findings set forth in paragraph no. 6 above, which are incorporated here by reference.

14. The Respondent, Police Officer John R. Swarbrick, Star No. 4089, charged herein, is

**not guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count I: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer John R. Swarbrick, while on duty, failed to take proper police

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action by responding to a call regarding an incident involving a man with a gun, and failed to conduct a proper investigation of the incident.

See the findings set forth in paragraph no. 8 above, which are incorporated here by reference.

15. The Respondent, Police Officer John R. Swarbrick, Star No. 4089, charged herein, is **guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count III: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer John R. Swarbrick, while on duty, responded to a call regarding an incident involving a man with a gun, and failed to generate a case report regarding the incident.

See the findings set forth in paragraph no. 9 above, which are incorporated here by reference.

16. The Respondent, Police Officer John R. Swarbrick, Star No. 4089, charged herein, is **guilty** of violating, to wit:

Rule 14: Making a false report, written or oral,

in that:

Count I: On or about December 23, 2006, at and/or in the vicinity of 1471 North Milwaukee Avenue in Chicago, Officer John R. Swarbrick, while on duty, responded to a call regarding an incident involving a man with a gun, and submitted a false report, via OEMC, when he coded the incident as 5A, "Non-Bona Fide."

See the findings set forth in paragraph no. 10 above, which are incorporated here by reference.

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17. The Respondent, Police Officer John R. Swarbrick, Star No. 4089, charged herein, is **not guilty** of violating, to wit:

Rule 14: Making a false report, written or oral,

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count II: On or about April 5, 2007, at the Office of Professional Standards (now known as the Independent Police Review Authority), located at 10 West 35<sup>th</sup> Street in Chicago, Officer John R. Swarbrick gave a false report in his statement to Investigator Carter when Officer Swarbrick denied having knowledge that Officer Eric Viguera was involved in the incident that occurred on or about December 23, 2006, when Officer Swarbrick stated that he provided proper police service regarding that incident, and when he denied playing a role in the retrieval of Officer Viguera's gun in connection with the incident.

See the findings set forth in paragraph no. 11 above, which are incorporated here by reference.

18. The Police Board has considered the facts and circumstances of the Respondents' conduct, the evidence presented in defense and mitigation, and the Respondents' complimentary and disciplinary histories, copies of which are attached hereto as Exhibit A. The Board determines that there is cause to suspend each Respondent from the Chicago Police Department for sixty days due to the serious nature of the misconduct of which the Board has found them guilty.

The Police Board finds that the failure of the Respondents to file a case report regarding the incident involved, and that their coding the incident 5A "Non Bona-Fide" is the type of conduct that interferes with efforts to investigate alleged misconduct by off-duty police officers, and which undermines the public's confidence in the Police Department.

### **POLICE BOARD DECISIONS**

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in these cases, having viewed the video-recording of the testimony of the witnesses, having received the oral report of the Hearing Officer, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts the findings set forth herein by the following votes:

By votes of 4 in favor (Demetrius E. Carney, William F. Conlon, Rita A. Fry, and Elisa Rodriguez) to 0 opposed, the Board **denies** the Respondents' motions to dismiss the cases;

By a vote of 4 in favor (Carney, Conlon, Fry, and Rodriguez) to 0 opposed, the Board **grants** Superintendent's motion to withdraw the charges that each Respondent violated Rule 10 (Count II);

By votes of 4 in favor (Carney, Conlon, Fry, and Rodriguez) to 0 opposed, the Board finds each Respondent **not guilty** of violating Rule 6, Rule 10 (Count I), and Rule 14 (Count II); and

By votes of 4 in favor (Carney, Conlon, Fry, and Rodriguez) to 0 opposed, the Board finds each Respondent **guilty** of violating Rule 10 (Count III) and Rule 14 (Count I).

As a result of the foregoing, the Board, by votes of 3 in favor (Conlon, Fry, and Rodriguez) to 1 opposed (Carney), hereby determines that cause exists for suspending each Respondent 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 sixty (60) days.

**NOW THEREFORE, IT IS HEREBY ORDERED** that the Respondent, Police Officer Joseph E. Vanourek, Star No. 18525, as a result of having been found **guilty** of charges in Police Board Case No. 13 PB 2835, be and hereby is **suspended** 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 sixty (60) days. (Any suspension served previously by the Respondent as a result of the filing of charges in this matter shall be counted when implementing the suspension ordered by the Police Board.)

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**IT IS FURTHER ORDERED** that the Respondent, Police Officer John R. Swarbrick, Star No. 4089, as a result of having been found **guilty** of charges in Police Board Case No. 13 PB 2836, be and hereby is **suspended** 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 sixty (60) days. (Any suspension served previously by the Respondent as a result of the filing of charges in this matter shall be counted when implementing the suspension ordered by the Police Board.)

This disciplinary action is adopted and entered by the following members of the Police Board: William F. Conlon, Rita A. Fry, and Elisa Rodriguez.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 20<sup>th</sup> DAY OF FEBRUARY, 2014.

Attested by:

/s/ Rita A. Fry  
Member  
Police Board

/s/ William F. Conlon  
Member  
Police Board

/s/ Max A. Caproni  
Executive Director  
Police Board

**DISSENT**

I dissent from the Decisions of the majority of the Board. Based on the officers' extensive complimentary histories, I vote to reduce the length of the suspension for each officer.

/s/ Demetrius E. Carney  
President  
Police Board

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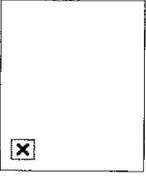
RECEIVED A COPY OF  
THESE FINDINGS AND DECISIONS  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

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Superintendent of Police

# Chicago Police Department Personnel Division

*\*Only for active personnel*



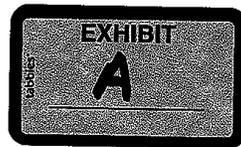
## Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
VANOUREK, JOSEPH E	9164	18525	024		

### Achievements

DEPARTMENT COMMENDATION	2
RECOGNITION/ OUTSIDE GOVERNMENTAL AGENCY AWARD	1
COMPLIMENTARY LETTER	3
HONORABLE MENTION RIBBON AWARD	1
PROBLEM SOLVING AWARD	1
2009 CRIME REDUCTION AWARD	1
HONORABLE MENTION	78
PRESIDENTIAL ELECTION DEPLOYMENT AWARD 2008	1
2004 CRIME REDUCTION RIBBON	1
ATTENDANCE RECOGNITION AWARD	3
TRAFFIC STOP OF THE MONTH AWARD	1
<b>TOTAL AWARDS</b>	<b>93</b>

Total No.



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BUREAU OF INTERNAL AFFAIRS  
RECORDS SECTION

12 JULY 2013

TO: COMMANDING OFFICER UNIT 113

FROM: RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

VANOUREK	JOSEPH	18525	024
NAME	(LAST, FIRST)	STAR	UNIT
MALE	WHITE		
SEX	RACE	EMPLOYEE#	

REFERENCE: COMPLAINT REGISTER / LOG NUMBER 1002203  
THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT  
ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

DEP. CHIEF	MUELLENBACH		113
RANK	NAME	STAR	EMPLOYEE# UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE  
ABOVE REFERENCE COMPLAINT LOG NUMBER.

THE RECORDS SECTION, BUREAU OF INTERNAL AFFAIRS, DISCLOSED  
THE FOLLOWING DISCIPLINARY ACTION ADMINISTERED TO THE  
SUBJECT ACCUSED FOR THE PAST FIVE (5) YEARS.

VERIFIED / PREPARED BY;

NIYA SCOTT

NONE  
SEE ATTACHED

FOR: COMMANDING OFFICER  
RECORDS SECTION  
BUREAU OF INTERNAL AFFAIRS

/ 1 Main Report 100%

## Chicago Police Department Personnel Division

*\*Only for active personnel*

Report Date: 15 Jul 2013  
 Report Time: 1621 Hrs

Information Services Division  
 Data Warehouse  
 Produced by: IL01656AEC

### Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
SWARBRICK, JOHN R	9161	4089	014		

### Achievements

2009 CRIME REDUCTION AWARD	1
HONORABLE MENTION	61
OTHER AWARDS	1
DEPARTMENT COMMENDATION	4
ATTENDANCE RECOGNITION AWARD	2
PRESIDENTIAL ELECTION DEPLOYMENT AWARD 2008	1
EMBLEM OF RECOGNITION - PHYSICAL FITNESS	2
COMPLIMENTARY LETTER	1
<b>TOTAL AWARDS</b>	<b>73</b>

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BUREAU OF INTERNAL AFFAIRS  
RECORDS SECTION

12 JULY 2013

TO: COMMANDING OFFICER UNIT 113  
FROM: RECORDS SECTION  
INTERNAL AFFAIRS DIVISION  
SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

SWARBRICK JOHN	4089	014
NAME (LAST, FIRST)	STAR	UNIT
MALE	WHITE	
SEX	RACE	EMPLOYEE#

REFERENCE: COMPLAINT REGISTER / LOG NUMBER 1002203  
THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT  
ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

DEP. CHIEF MUELLENBACH	113
RANK NAME	STAR EMPLOYEE# UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE  
ABOVE REFERENCE COMPLAINT LOG NUMBER.

THE RECORDS SECTION, BUREAU OF INTERNAL AFFAIRS, DISCLOSED  
THE FOLLOWING DISCIPLINARY ACTION ADMINISTERED TO THE  
SUBJECT ACCUSED FOR THE PAST FIVE (5) YEARS.

VERIFIED / PREPARED BY;

NIYA SCOTT

~~NONE~~  
SEE ATTACHED

FOR: COMMANDING OFFICER  
RECORDS SECTION  
BUREAU OF INTERNAL AFFAIRS

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**Chicago Police Department**  
 Internal Affairs Division



**SPAR HISTORY REPORT (Sustained Findings)**

Employee#	Name	Star#	Unit	Position	Sex	Race	Birth Date	Date of Appointment
[REDACTED]	SWARBRICK, JOHN R	4089	014/-	POLICE OFFICER	M	WHITE	[REDACTED]	03-JAN-2005

History : Total No. SPAR's: 1

Log #	Incident Date	Completed Date	Disciplinary Action	Transgression Type	Suspension Dates
529585	23-OCT-2012	08-NOV-2012	REPRIMAND	005 - COURT APPEARANCE VIOLATION	

ISSUED FOR CR#1002203 ONLY

**For Official Police Purposes Only!** This information is confidential and should not be disseminated for reasons other than its intended purpose.  
 CLEAR, Personnel Suite: Automated SPAR Application Print Date and Time: 12-JUL-2013 07:38:27 Printed By: PC0S988