

14PB2855

CHARGES

Detective Timothy McDermott, Star Number 21084, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- 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 of an order or directive, whether written or oral.
- Rule 8: Disrespect or maltreatment of any person, while on or off duty.
- Rule 38: Unlawful or unnecessary use or display of a weapon.

SPECIFICATIONS

1. Detective Timothy McDermott, Star Number 21084, is charged with violating 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 the following instance:

Sometime between October 14, 1999 and July 1, 2003, while you were working in the Chicago Police Department's Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11<sup>th</sup> District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

2. Detective Timothy McDermott, Star Number 21084, is charged with violating Rule 6, "Disobedience of an order or directive, whether written or oral," in one or more of the following instances:

Count I: Sometime between October 14, 1999 and July 1, 2003, while you were working in the Chicago Police Department's Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11<sup>th</sup> District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby failing to ensure an arrestee's right to have dignified treatment under the law, and/or failing to treat an arrestee with respect, in violation of General Order 92-01, Section II, and/or General Order 02-01, Section II, thereby disobeying an order or directive, whether written or oral.

Count II: Sometime between October 14, 1999 and July 1, 2003, while you were working in the Chicago Police Department's Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11<sup>th</sup> District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby failing to treat an arrestee with courtesy and dignity, in violation of General Order 92-01, Section III, and/or General Order 02-01, Section III, thereby disobeying an order or directive, whether written or oral.


3. Detective Timothy McDermott, Star Number 21084, is charged with violating Rule 8, "Disrespect or maltreatment of any person, while on or off duty," in the following instance:

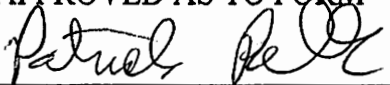
Sometime between October 14, 1999 and July 1, 2003, while you were working in the Chicago Police Department's Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11<sup>th</sup> District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby disrespecting or maltreating any person, while on or off duty.

4. Detective Timothy McDermott, Star Number 21084, is charged with violating Rule 38, "Unlawful or unnecessary use or display of a weapon," in the following instance:

Sometime between October 14, 1999 and July 1, 2003, while you were working in the Chicago Police Department's Special Operations Section, you appeared in a photograph, with no valid police purpose, with former Chicago Police Officer Jerome Finnigan in the 11<sup>th</sup> District tactical office, or some other Chicago Police Department facility, in which you and Finnigan are both posing on your knees, holding rifles, and/or kneeling over an unknown African-American man, and/or the African-American man is wearing deer antlers on his head, lying on his stomach, and sticking his tongue out, and/or you have your right hand on the throat of the African-American man, thereby unlawfully or unnecessarily using or displaying a weapon.

Based on the foregoing charges and specifications, the Superintendent recommends that Detective Timothy McDermott, Star Number 21084, be discharged from the Chicago Police Department.

  
GARRY F. MCCARTHY  
Superintendent of Police

APPROVED AS TO FORM  
  
PATRICK POLK  
Assistant Corporation Counsel

P. B. CASE # FILED

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CHICAGO POLICE DEPARTMENT